United Nations S/PV.5343

Security Council

Sixty-first year

Provisional

5343rd meeting

Friday, 6 January 2006, 1.20 p.m.

New York

President:	Mr. Mahiga	(United Republic of Tanzania)
Members:	Argentina	Mr. D'Alotto
	China	Mr. Li Song
	Congo	Mr. Ikouebe
	Denmark	Mr. Faaborg-Andersen
	France	Mr. Journès
	Ghana	Nana Effah-Apenteng
	Greece	Mrs. Papadopoulou
	Japan	Mr. Omura
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Athba
	Russian Federation	Mr. Smirnov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Ms. Davis
	United States of America	Ms. Phee

Agenda

The question concerning Haiti

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-20274 (E)

The meeting was called to order at 1.20 p.m.

Expression of welcome to the new members of the Security Council and of thanks to the outgoing members

The President: As this is the first meeting of the Security Council this year, I should like to extend my very warm wishes for a fruitful New Year to all members of the Security Council, the United Nations and the Secretariat.

On behalf of the Council, I welcome the new members, namely the Congo, Ghana, Peru, Qatar and Slovakia. We all look forward to their participation in the work of the Council. We are convinced that their experience and wisdom will be of invaluable assistance in the discharge of the Council's responsibilities.

I shall take this opportunity to express the Council's deep gratitude to the outgoing members, namely Algeria, Benin, Brazil, the Philippines and Romania, for their important contributions to the business of the Council.

Expression of thanks to the outgoing President

The President: I should like also to take this opportunity to pay tribute, on behalf of the Council, to Sir Emyr Jones Parry, Permanent Representative of the United Kingdom, for his service as President of the Security Council for the month of December 2005. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Jones Parry for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The question concerning Haiti

The President: I should like to inform the Council that I have received a letter from the representative of Haiti in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. (Haiti) took a seat at the Council table.

The President: The Security Council w continue its consideration of the item on its The Council is meeting in accordance w understanding reached in its prior consultations

After consultations among members Security Council, I have been authorized to m following statement on behalf of the Council:

"The Security Council reiterates support for the work of the United Stabilization Mission in Haiti (MINUST the Special Representative of the Se General, Mr. Juan Gabriel Valdés.

"The Security Council reiterates future holding of elections is a fundame towards the restoration of democra stability in Haiti. The Council takes n concern of the new postponement of the in Haiti and, in this regard, trusts that the the electoral calendar will enable the re of logistical and technical problems in ensure transparent, inclusive, free a elections.

"The Security Council urg Transitional Government of Haiti and the Electoral Provisoire to expeditiously a new and definitive dates for the electi first round to be held within weeks, but than 7 February 2006, and to ensure elections will take place in accordan international democratic standards an conditions conducive to the widest participation. The Council calls upon all international stakeholders to conti collaborate closely with the Tra Government of Haiti and other authorities in this endeavour. The electoral calendar and corresponding should be realistic and comprehensi encompass national, municipal an elections.

"The Security Council reaffir security remains an essential element holding of free and equitable electio Council expresses its concern o

deterioration of security conditions in Port-au-Prince and urges the Haitian National Police and MINUSTAH to continue their efforts to further intensify their cooperation to improve the security situation in order to restore and maintain the rule of law. In this regard, the Council pays tribute to those MINUSTAH peacekeepers who have been killed or injured in the line of duty.

"The Security Council is of the view that, after the elections, a period of fundamental importance for long-term stability will follow. National reconciliation and political dialogue should continue to be promoted as a means to ensure long-term stability and good governance.

"The Security Council reaffirms that open and credible elections, based on ownership by the Haitian people, are paramount to the consolidation of democratic institutions and procedures, but it recognizes at the same time that they do not constitute the sole means to address the longer-term problems that Haiti faces in the security sector and in the restoration of the rule of law, both of which are critical to stability and sustainable development. The Council welcomes, accordingly, the decision taken by the donor community to extend the Interim Cooperation Framework until December 2007 in order to assist the new elected Government to continue reconstruction efforts. The Council reaffirms that short-, medium- and long-term strategies, within a unified framework, are needed to ensure coordination and continuity in the international assistance to Haiti."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2006/1.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.30 p.m.

United Nations S/PV.5344

Security Council

Sixty-first year

Provisional

5344th meeting

Friday, 13 January 2006, 10 a.m.

New York

President:	Mr. Mahiga	(United Republic of Tanzania)
Members:	Argentina	Mr. Mayoral
	China	Mr. Wang Guangya
	Congo	Mr. Ikouebe
	Denmark	Ms. Løj
	France	Mr. Duclos
	Ghana	Nana Effah-Apenteng
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Denisov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Wolff

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2005/821)

Monthly report of the Secretary-General on Darfur (S/2005/825)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-20671 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2005/821)

Monthly report of the Secretary-General on Darfur (S/2005/825)

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan.

It is so decided.

I invite Mr. Pronk to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Salim A. Salim, Special Envoy of the African Union for the Inter-Sudanese Peace Talks on the Conflict in Darfur.

It is so decided.

I invite Mr. Salim to take a seat at the Council table.

I welcome the presence of the Secretary-General, Mr. Kofi Annan, at this meeting.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the monthly report of the Secretary-General on Darfur, document S/2005/825. Members also have the report of the Secretary-General on the Sudan, document S/2005/821.

At this meeting, the Security Council will hear briefings by Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan, and by Mr. Salim A. Salim, Special Envoy of the African Union for the Inter-Sudanese Peace Talks on the Conflict in Darfur.

I give the floor to Mr. Pronk.

Mr. Pronk: I would like to thank you, Mr. President, for having given me this opportunity to brief the Council on the current situation in the Sudan, including in Darfur.

One year after its signing in Nairobi, on 9 January 2005, the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement (SPLM) stands firm. Its implementation, although slow, remains on track and is moving forward. The tragic death of John Garang, the leader of the south, less than a month after he had been sworn in as the new Vice-President of the Sudan, was a major blow. It caused consternation and delays, but neither party has found a reason to deviate from the Agreement, which was his legacy. On the contrary, parties realize that they depend on each other and that they have to move forward.

In the space of one year two new constitutions have been adopted — one for the Sudan as a whole and one for southern Sudan. Two new Governments had been formed. All of the institutions that had to be established on the basis of the Comprehensive Peace Agreement have been established. Some have hardly met, while others are facing political disputes. However, the spirit of the Agreement stands tall. The redeployment of the Sudanese army away from the south has started. The target of 30 per cent redeployment within one year has more or less been accomplished. The United Nations has instructed the forces on both sides to provide notification of all movements seven days in advance, and so far there have been only minor violations of those instructions.

As a matter of fact, the Joint Ceasefire Committee — the only United Nations-led institution — has been the most successful Agreement institution. It started convening shortly after the Security Council adopted resolution 1590 (2005) in March last year mandating the United Nations Mission in the Sudan (UNMIS) to monitor the Comprehensive Peace Agreement. It has met 15 times and has been able to reach consensus on most issues regarding the

interpretation and implementation of the ceasefire paragraphs in the Agreement. The talks between the SPLM and the other armed groups in southern Sudan are proceeding very well. That could pave the way for the integration of all combatants, either into one of the armies or into civil society.

Of course, a lot still needs to be done. The peace process must become more inclusive, incorporating other political parties and civil society. The security laws must be brought into line with the constitution. The disarmament, demobilization and consequent reintegration of the combatants is yet to commence. The return of displaced persons and refugees has started, but we lack the resources to support the return. The rehabilitation and development of agriculture in the south, of its economy, its towns and its villages, including water, education and health systems, has yet to start.

The capacity of the new Government of Southern Sudan is still limited. Disarmament, demobilization, reintegration, return, rehabilitation and capacity-building all require more international financial support. Without such support, the expectations of the people in the south will not be met. That is a major risk.

There is peace, indeed. Where is the peace dividend? Conflicts emerge out of tribal disputes and also with people returning to their villages. UNMIS, through timely reaction in an integrated fashion, has been able to defuse some of those conflicts with the cooperation of the authorities. However, there will be more conflicts. We have such concerns in Abyei, one of the transition areas, where the Missiriya and the Dinka on the ground have learned to live together but where uncertainty about the future status of the region continues to pose a threat. In the east, close to the Eritrean border, a confrontation may arise as soon as the SPLM withdraws to the south, as it has committed itself to do under the Comprehensive Peace Agreement.

The Government and the eastern rebel movements had agreed to start discussions leading to peace talks facilitated by the United Nations in the third quarter of last year, but thereafter the United Nations was sidelined. The parties agreed to Libya as a facilitator, but talks have yet to start — even though the redeployment deadline of 9 January 2006 has passed. This is creating a void with the potential for new armed conflict, violating the gentlemen's agreement between the parties, facilitated by the United Nations in the middle of last year, not to attack each other.

Finally, the attacks of the Uganda-based Lord's Resistance Army (LRA) on civilians and humanitarian workers in the south are paralysing our activities in a considerable part of the south. The situation there directly threatens the potential peace dividends.

The sense of optimism among the people of the south is therefore low. They have also become suspicious. Many are losing their belief in the north's sincerity regarding giving the south a chance to develop beyond peace. The parties to the Comprehensive Peace Agreement have agreed that 50 per cent of oil revenues and the resulting income would accrue to the south. However, there is no transparency. The Khartoum authorities have been reluctant to provide answers to all questions regarding oil. People in the south are becoming less and less confident that the Agreement's essential element on the sharing of wealth will become a reality.

The international community and its institutions — including all countries investing in and buying from the Sudan, along with the International Monetary Fund (IMF) exerting its mandate to assess economic and financial governance — have a political and an economic interest in the full and fair implementation of that agreement on oil. The upcoming meeting in March of the Sudan Consortium, to be led by the World Bank, will be a good opportunity to discuss that, in order to settle the matter and to avoid having possible differences of opinion lead to a real dispute.

Matching the cynicism in the south, there are suspicions in the north that the SPLM does not really want to give unity a chance in the referendum to be held six years after the conclusion of the Peace Agreement. Making unity the attractive option is part of the mandate that the Security Council has given to the Mission. We are trying to do that by focusing in particular on poverty reduction and on sustaining peace, minority rights, human rights and constitutional rights. In the referendum, people will be free to decide either for unity or separation. If, six years after the conclusion of the Peace Agreement people are less poor, have more rights and live in peace throughout the country in a still-united Sudan, they may consider it

attractive to stay together as one nation, albeit with two systems.

The SPLM leadership would be wise to show that they have not decided otherwise, that is, to opt for separation whatever the developments in the next five years. The unity option should get a real chance when people exercise their right to vote in the referendum. However, the Government in the north should do everything to make that attractive. It can do so by guaranteeing a fair share of power, resources and income to the people of the south for expenditure and investment in water, infrastructure, schools, jobs, agriculture, housing and health care for all the people who for decades were deprived of such things.

Unequal distribution of power and wealth was also one of the causes of the war in Darfur. There is not yet peace in Darfur. Peace is indivisible. The continuing violence, killing, rape and human rights violations are not only a tragedy for the people of Darfur, they also violate the requirements set out in resolutions of the Security Council. Moreover, they are a threat to the sustainability of peace in the south.

The deadline set at Abuja to reach a peace agreement on the matter of Darfur before the end of 2005 was not met. The parties have failed. The passing of the 31 December deadline was ignored and went unnoticed. One cannot avoid the impression that the parties have lost all sense of urgency and do not really care about deadlines. They talk but do not achieve results. Chairman Salim did everything he could to get the parties to end the talks with an agreement, but the parties shied away.

One wonders whether negotiators really care about the fate of the 3 million war-affected people, more than 2 million of whom live in camps for displaced persons and refugees. Thanks to international assistance and the commitment of humanitarian workers on the ground — who deserve our admiration — malnutrition and mortality figures have decreased considerably. However, that decrease cannot be sustained in an environment of insecurity, which results in less and less access for humanitarian assistance.

All of us will have to reconsider the strategy for achieving peace in Darfur. The parties, having missed the 31 December deadline, will now have to commit themselves to reaching an agreement during this, the seventh, round of talks. At the beginning of the seventh round they pledged that it would be the last and that it would end before 31 December 2005. The least they can do now is to stop the clock. The parties should not adjourn for an eighth round, but should instead conclude an agreement for the sake of the people they claim to represent.

Parties negotiating in Darfur could learn from the way by which the north-south Peace Agreement was reached in Nairobi. Before everything else in Nairobi, a sustained and lasting ceasefire was agreed upon. In southern Sudan the fire ceased, not only on paper but also on the ground. That made it possible to continue negotiations for a fair distribution of power and wealth, which is the core of the Comprehensive Peace Agreement.

The same thing should also happen in Darfur. Only when the fighting has stopped will the parties, together with others who did not take up arms but who have a real stake in the development of their part of the Sudan — tribal leaders, civil society, representatives of displaced people, intellectuals and others — be able to reach a fair, inclusive and sustainable agreement on governance, power, wealth, land, water and economic development. Those who did not take up arms and have watched the parties failing in Abuja should be given the right to participate in a meaningful Darfur-Darfur dialogue, which should begin soon.

Any agreement, whether in Abuja or in El Fasher, will be sustainable only if the international community assists in guaranteeing security. The African Union has done an admirable job, but the African Union Mission in Sudan (AMIS) has not been provided with adequate resources and adequate means to prevent attacks. We deplore the death of young African soldiers who went to Darfur to help save the lives of innocent civilians but who became targets themselves.

The security situation in Darfur is chaotic. The perpetrators of the 2003 and 2004 violence have attained their goal: many areas have been cleansed. They have free passage in the countryside. Millions of villagers sitting in camps are too afraid to leave. Terror continues. At least once a month groups of 500 to 1,000 militia, on camels and on horseback, attack villages, killing dozens of people and terrorizing others, who flee.

Since I gave my last briefing to the Council, the villages Aro Sharow, Tama and Abu Sorouj should be added to Tawila, Labado, Hamada and Khor Abache —

all of which have witnessed cruel atrocities, terror, killing and rape. It is no wonder that internally displaced persons and refugees do not dare to return. They do not trust anybody anymore. Only international guarantees such as those provided by the African Union can help.

The force which is necessary to provide such guarantees should be big — much bigger than the present one. It should not be on call but in place, present everywhere where people may be attacked. It should be strong, able to defend itself, able to deter attacks on civilians and able to disarm militias and the Janjaweed, which should have been disarmed by the Government in the first place. That has not been done, despite demands laid down in Security Council resolutions. The force should stay long enough to provide confidence — at least three to four years after the reaching of a peace agreement. Its financing should be guaranteed all along. It should have a broad mandate — broad enough to deter non-compliance. It should be an integral element of a unified approach towards Darfur, with humanitarian, political, police, legal, human rights, reconstruction and economic development instruments. It should be supported by sanctions — sanctions on troop movements which are not in accordance with the agreement; sanctions on arms deliveries; and sanctions against those who have caused atrocities, and in particular those who have instructed others to do so — not only foot soldiers, but commanders and those political leaders who were responsible for the carnage of 2003 and 2004 and who refuse to stop the atrocities of 2005.

Many people have paid lip service to the need for peace. Looking back at three years of killing and cleansing in Darfur, we must admit that our peace strategy so far has failed. All we did was pick up the pieces and muddle through, doing too little too late. The ultimate responsibility lies with the perpetrators, but we should do more to stop them, to end impunity and to offer prospects to the children of Darfur that they can live without fear.

We hoped that there would be peace at the end of the year. Did we do more than just hope? Hope is a good thing, but it has its limits.

The President: I thank Mr. Pronk for his presentation.

I now call on Mr. Salim.

Mr. Salim: I wish at the outset to express appreciation to Mr. Augustine Mahiga, Permanent Representative of the United Republic of Tanzania and President of the Security Council for the month of January, for the invitation that was extended to me to brief the Council on the ongoing negotiations in Abuja, Nigeria, to end the conflict in Darfur.

It is good to be back in New York and in this Council Chamber. As I have gone down memory lane, I cannot help reminiscing about the time, 30 years to the month this January, when, as Permanent Representative of my country to the United Nations, I was privileged to preside over the deliberations of the Security Council. The coincidence and symbolism of being in New York when a distinguished and worthy compatriot is presiding over the Council can only make me hope that those fortuitous circumstances will lead to successful deliberations by this body.

Let me preface my briefing to the Council on the status of the Darfur peace talks by underscoring the unparalleled commitment of the African Union (AU) to the attainment of lasting peace in Darfur through a negotiated settlement. Indeed, I do not recollect any other time — be it in the history of the erstwhile Organization of African Unity or in that of the African Union — when a deployment of the magnitude of that which the AU has launched in Darfur has ever taken place under the aegis of the continental organization. Many of us accepted the calls to join in facilitating the process out of our honest conviction that Africans had not only to take the lead, with the full and active support of the international community, to put an end to the senseless killings in Darfur, but also to address the abuses which had become an indictment of our collective conscience as Africans, especially after things went dramatically wrong in Darfur.

Darfur therefore represents an exemplary and new case of the African Union's taking the lead as a regional organization to tackle a complex humanitarian emergency. The African response to the tragedy unfolding before us in Darfur also symbolizes our collective determination to respond effectively, as against assuming an attitude of indifference to problems in Africa. Such a response is totally consistent with the letter and spirit of the Constitutive Act of the African Union, which makes it hardly surprising to see the overwhelming support of Africans and the wider international community in Abuja and Darfur itself. Let me therefore express appreciation for

the strong support that this Council and the international community at large have extended to those African initiatives.

We are now in the seventh round of the talks. I began my current role during the fifth round in June last year. At the end of that round, a declaration of principles to end the conflict in Darfur was adopted. That significant development paved the way for the commencement of negotiations on the substantive issues that had been identified by the mediation. It was therefore our collective hope, after that round in July 2005, that when the sixth round was convened in September 2005, progress would be made on the issues of power-sharing, wealth-sharing and security arrangements. That expectation was not realized, as the talks could not cover much ground on account of the deep division in the armed opposition — the Justice and Equality Movement and the Sudan Liberation Movement/Army (SLM/A) — where the threat of fragmentation was more serious.

The seventh round of talks has been in continuous session in Abuja since 28 November 2005, arising from the stated commitment of the parties to make that round a decisive and final one. Apart from short breaks to celebrate Christmas and Eid El-Hajj, we intend to ensure that the parties are continuously engaged until a comprehensive agreement is reached on all the major issues that separate the parties.

Prior to the convening of the seventh round, concerted efforts were deployed to resolve procedural issues that were impacting negatively on the progress of the talks. Those problems included, in particular, the division of the armed movements, especially that within the SLM/A. Internal leadership divisions have, of course, created their own complications. I am happy to note that, following initiatives spearheaded by the AU, the United States of America, Chad, Libya, Eritrea and the United Nations, the problem has been contained, at least for the time being. Consequently, the SLM/A has been able to participate in the negotiations during the current round as one movement, with emerging joint positions, along with the Justice and Equality Movement, on many of the issues under the agenda of the negotiations.

We remain appreciative of all those who were directly and indirectly involved in that and other constructive initiatives. The net effect has been that, even though that arrangement has led to some tension for a single delegation, the task of the mediation was greatly expedited, as negotiations began in earnest in all three commissions, namely on power-sharing, wealth-sharing and security arrangements. The absence of total unity among the ranks of the movements has resulted, in some cases, in the hardliners' holding the process hostage, and the results have therefore been very mixed.

As concerns the wealth-sharing commission, substantial progress has been made in the consideration of its agenda. The negotiations are being conducted in a professional and serene atmosphere. The parties are demonstrating a high degree of cooperation, both among themselves and with the mediation. The discussions were facilitated by the fact that most of the representatives are highly qualified professionals in the relevant technical fields. So far, the commission has considered eight out of the 10 items on its agenda, and agreements have been reached on about 90 per cent of the issues.

Unfortunately, the level of progress in the two other commissions — those on power-sharing and on security arrangements — has remained frustratingly low, and the discussions extremely difficult.

In the power-sharing commission, the gap between the positions of the parties remains wide and their views extremely divergent, especially on the following issues.

First, with respect to the status of Darfur, the issue is whether it should become a region now, as demanded by the movements, or whether it should retain the status quo of three states and facilitate a process whereby the people of Darfur can decide whether they want a region through a referendum or another consultation mechanism, as articulated by the Government. While the movements and the Government both accept the notion of a referendum, the difference lies in the fact that the movements want a referendum after the establishment of a region, while the Government's position is that a referendum should be held to decide whether a region should be established.

Other issues include the demand by the movements for the post of Second Vice-President; their demand that Darfurians control the capital city of Khartoum, given that there is a significant population of Darfurians in the city; and their demand to return to the Darfur border of 1 January 1956.

The other power-sharing issues that remain unresolved include power-sharing at the national level during the interim period. This involves the question of executive, legislative and judiciary appointments, as well as representation of the movements in the civil service, the military, police and security forces, and transitional institutions such as the electoral commission, the census board and the implementation commissions established under the Naivasha Comprehensive Peace Agreement.

In the security arrangements commission, the negotiations have been more problematic, as expected. Security is at the heart of the problems in Darfur. Apart from the current deterioration of the security situation on the ground in Darfur, another set of deep-rooted problems have combined to complicate the discussions on security arrangements.

It has taken the parties more time, over a period of a month, even to agree on a five-point agenda for the negotiations. The delay was due partly to the stated desire of the parties — mainly the movements — to put their detailed positions on the agenda and to negotiate those positions with the mediators. Those problems have been compounded by the current and historical experience of deep mistrust on the part of the movements, arising from their perception of the unwillingness, or inability, of the Government to negotiate in good faith or even to implement the agreements reached. In effect, the movements are negotiating on the basis of their worst fears as against their best hopes. Given such a situation, in order to win the trust of the parties, mediation had to proceed patiently and cautiously. Moreover, the parties are now falling back on the decisions of the Security Council and of the African Union Summit to either articulate or dig in with respect to their positions, losing sight of the fact that those decisions were intended to facilitate the negotiations in the first place, not complicate them.

In the light of the engagements with the parties, the mediation has been able to identify the major issues that will have to be resolved before any realistic security arrangements for Darfur can be agreed upon. These include, but are not exclusively limited to, the following.

First, the existing humanitarian ceasefire must be enhanced. Its agreements are not being fully implemented by the parties, thereby resulting in a serious deterioration of the security situation on the ground in Darfur. Here such issues as disclosure, mapping, assembly and redeployment of forces, creation of a buffer zone for humanitarian assistance, safe supply routes for non-military supplies and the enhancement of the Ceasefire and Joint Commissions would have to be addressed.

Negotiations for a permanent cessation of hostilities and a comprehensive ceasefire agreement would incorporate issues such as the disarmament of the controversial Janjaweed and other tribal militias, as well as the status of forces of both the Government and the movements, and the final security arrangements for Darfur, including, of course, disarmament, demobilization and reintegration.

Given the foregoing, the assessment of the mediation could be summarized as follows.

The approach of the parties to the negotiations on the substantive issues still leave a lot to be desired. So far, the negotiations have been characterized by an unacceptable level of inflexibility with respect to the positions of the parties; suspicion; the absence of even a minimum level of confidence; and deep distrust. In fact, in many instances, a deliberate policy of stalling by the movements, in the expectation of some dramatic developments in the country and externally, could be detected.

The movements do not appear to view the negotiations as a strategic arena. The battlefield remains the strategic arena, and the negotiations are a tactical arena. This does not mean that the negotiations are unimportant; it means that they are not yet sufficiently important to the movements. At least, that is the way it appears insofar as some of the movements are concerned.

The movements might be waiting for a deal in the power-sharing commission before negotiating in earnest on security arrangements. That would be a logical negotiating posture, since, in general, military force is a means to achieve political objectives, and security is an outcome of political arrangements.

The current estimate of the mediation is that the Darfur process is still some weeks away from a settlement. The parties, both the Government and the armed movements, need to show more flexibility and willingness to compromise if a settlement is to be achieved. Some of the extraordinarily high expectations and demands of the parties, especially the

movements, have to be addressed and reduced to more realistic positions.

The issue and place of the Naivasha Comprehensive Peace Agreement in the Darfur peace process poses a unique challenge. Interestingly, the movements have adopted an eclectic approach to the Agreement. On the one hand, they refuse to accept its validity as a reference for resolving the problems of the Sudan, including the conflict in Darfur. On the other hand, they want to pick and choose those aspects of the Agreement that would accord them the same arrangements as were secured by the southerners, unmindful of the differences between the two situations.

Given the foregoing, it may be desirable to consider the following as the way forward and as a means of providing fresh momentum to the Abuja peace talks, whose pace is disturbingly, agonizingly slow.

First, all possible efforts should be made to ensure the effectiveness of the mechanisms established to implement the Humanitarian Ceasefire Agreement, notably the Ceasefire Commission and the Joint Commission. Consideration should be given to reorganizing and revitalizing the commissions, with appropriate and credible sanctions for any parties that persist in violating provisions of the Ceasefire Agreement.

Second, the parties should be left in no doubt that, if their approach to the Abuja talks continues to delay progress towards a settlement, the Security Council will hold them responsible for prolonging the suffering of their people. In such an eventuality, the threat and application of carefully targeted sanctions should be credible and evident and should enjoy the strong support of a united Security Council.

Third, the role of the neighbouring countries — especially Chad, Libya and Eritrea — should be recognized and commended. At the same time, there is a strong need for greater cohesion, transparency and coordination among the regional countries facilitating the peace process and the mediation in order to ensure cohesion, consistency and progress.

Fourth, other external conditions need to be consolidated and accelerated if a peace agreement on Darfur is to be achieved. A particularly urgent concern is the current state of relations and the tension between Chad and the Sudan. Chad's role as a co-mediator in the talks is in the best interest of the process, as evidenced by that country's initiatives and contributions. However, there are reasons to be concerned that an escalation of the crisis in Chad and the crisis between Chad and the Sudan could render any potential political settlement to the conflict in Darfur extremely problematic, especially in the short term.

Fifth, the international partners in the process have continued to play a constructive and positive role in the Abuja negotiations. That should be welcomed, commended and strengthened. However, now more than ever, cohesion and greater coordination between the African Union mediation and the international partners are most desirable as an important component of and a sine qua non for successful negotiations. It is most important for the international partners and the African Union to speak with one concerted voice in their engagements with the parties. As experience gained from other mediation efforts clearly teaches us, whenever the international community speaks with one voice the chances of success are enhanced. On the contrary, when conflicting signals are sent to the parties, the prospects for securing an agreement are made much more difficult. Additionally, the partners need to enhance the level of their representation in Abuja and, wherever possible, facilitate high-profile visits by political leaders to encourage the parties to reach an early agreement.

Sixth, funding for the talks remains extremely precarious. Peace processes are, by nature, expensive undertakings. While the contributions that some countries have made to support the Abuja talks are appreciated, clearly, the current level of funding for the talks needs to be increased substantially to accommodate the extended and final phase and relieve the African Union of a major constraint.

Seventh, as a matter of priority, the African Mission in the Sudan (AMIS) should be strengthened, supported and well funded so that it can carry out its mandate along the lines recommended by the recent joint assessment mission, which undertook a comprehensive review of the deployment of AMIS. In my view it is vital that nothing be allowed to undermine AMIS for the duration of its role in Darfur. That is in the interest of the efforts to end that sad conflict and in the long-term interest of future African Union peace support operations. I realize that a major

constraint with respect to financing is the feeling — quite justifiable on the part of those supporting the operation financially — that there is need for greater burden-sharing. But I believe it is not impossible to find a way to address that concern. That is all the more relevant given the African Union's position of supporting in principle a transition from AMIS to a United Nations operation within the framework of a partnership between the African Union and the United Nations to promote peace, security and stability in Africa.

The African Union and those of us involved in the mediation are actively seeking a negotiated settlement to the Darfur conflict that is just, democratic, sustainable and consistent with the letter and the spirit of the Comprehensive Peace Agreement, in particular its most important provisions, which were negotiated to help stabilize the processes of peacebuilding, security, unity, cohesion and good governance throughout the Sudanese nation. Without doubt, those same expectations have also motivated the Council's involvement and decisions, of which we are highly appreciative.

The African Union mediation is confident that a just and lasting settlement of the conflict in Darfur is achievable, but such optimism needs to be guarded, given the action of the parties and some developments in, around and outside Darfur. For that reason, I wish to strongly appeal to the Council to remain actively engaged and to send very strong signals of its support for the Abuja peace process so that a comprehensive agreement can be concluded in the shortest possible time.

The President: In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to brief consultations before we convene a private meeting.

The meeting rose at 11.05 a.m.

United Nations S/PV.5345

Security Council

Distr.: General
13 January 2006

Original: English

Official communiqué of the 5345th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Friday, 13 January 2006, at 11.30 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"At its 5345th meeting, held in private on 13 January 2006, the Security Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.

"In accordance with the decision taken at the 5344th meeting, the President extended invitations under rule 39 of the Council's provisional rules of procedure to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan, and to Mr. Salim A. Salim, Special Envoy of the African Union for the Inter-Sudanese Peace Talks on the Conflict in Darfur.

"Members of the Council, Mr. Jan Pronk and Mr. Salim A. Salim had an exchange of views."

06-20753 (E) 130106

United Nations S/PV.5346

Security Council

Sixty-first year

Provisional

5346th meeting

Monday, 16 January 2006, 10 a.m.

New York

President:	Mr. Mahiga	(United Republic of Tanzania)
Members:	Argentina	Mr. Mayoral
	China	Mr. Li Junhua
	Congo	Mr. Ikouebe
	Denmark	Ms. Løj
	France	Mr. Duclos
	Ghana	Nana Effah-Apenteng
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Denisov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Olson

Agenda

Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-20797 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Karel de Gucht, Chairman-in-Office of the Organization for Security and Cooperation in Europe and Minister for Foreign Affairs of Belgium.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to Mr. Karel de Gucht, Chairman-in-Office of the Organization for Security and Cooperation in Europe and Minister for Foreign Affairs of Belgium, and invite him to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Karel de Gucht, Chairman-in-Office of the Organization for Security and Cooperation in Europe and Minister for Foreign Affairs of Belgium.

I now give the floor to Mr. De Gucht.

Mr. De Gucht (*spoke in French*): Allow me at the outset to thank you, Mr. President, and all other members of the Security Council for inviting me and giving me the opportunity to speak before the Council on behalf of the Organization for Security and Cooperation in Europe (OSCE). As of 1 January, Belgium has exercised the presidency of the OSCE. In assuming that function, Belgium has clearly demonstrated its commitment to multilateralism and international cooperation.

The OSCE is a regional organization under the terms of Chapter VIII of the United Nations Charter. It played a crucial role in bridging the gap that divided Europe during the cold war. Since then, it has developed a set of commitments, norms and principles that links all its members. That constitutes the essence of modern collective security in the broadest sense of the term. In that connection, I reaffirm our profound commitment to those common principles, shared by the United Nations.

Following 2005, a year of many challenges, the OSCE's contribution to peace and security in Europe, through its cross-cutting mandate, is better recognized. The OSCE is now in better shape than it was at the beginning of last year. The Ljubljana Ministerial Council in December provided an opportunity for renewed dialogue and better understanding. Thus, Belgium is shouldering its new responsibilities with optimism.

Allow me, Mr. President, to outline the main points of the programme of our chairmanship of the Organization for Security and Cooperation in Europe.

First, we will play an active role in the institutional reform of the OSCE. At the Ljubljana Ministerial Council, agreement was reached on a review of the scale of assessments and on a road map for the institutional reform of the OSCE in order better to adapt it to the current challenges. That road map signals the areas where negotiations on reform should be carried out under the Belgian chairmanship. We attach great importance to that task, and we will take it very seriously. It is my intention to appoint a high representative of my administration to carry out that process.

Secondly, Belgium will strive to achieve a better balance among the three aspects — political-military, economic and human — of the OSCE's comprehensive security approach. Belgium will strive to strengthen the economic and environmental aspect while stressing regional cooperation and transportation security.

Indeed, security is never finally achieved. It requires constant attention, ongoing investment and shared responsibility. The changes that have occurred since the creation of the OSCE have been enormous and, for the most part, positive. The risk of a conflict encompassing the European continent as a whole has disappeared. But security and stability in Europe remain among the main concerns of the OSCE. There can be no democracy without stability. Conversely, peace and security require respect for democracy, for civil liberties and for human rights. There is no lasting stability without economic development.

With respect to transportation and the strengthening of the economic aspect, the Belgian chairmanship intends to draw attention to the special situation of landlocked countries. We intend to cooperate with the United Nations High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States and to help implement the United Nations Programme of Action adopted at Almaty in 2003. We also intend to strengthen cooperation between the OSCE and the United Nations Economic Commission for Europe to promote the implementation of juridical norms and instruments.

Thirdly, a central place will be given to combating international crime and promoting the rule of law. Transnational crime is, together with terrorism, one of the most serious new threats to our societies. The magnitude of this threat was recognized in the outcome document of the September 2005 United Nations summit. It is also a problem of concern to our citizens.

The fight against organized crime is not a new subject for the OSCE, as attested by its plans and actions against human trafficking, the illicit trade in drugs and weapons and the laundering of funds derived from criminal activities and corruption. The OSCE has instruments to strengthen the rule of law and to train police and justice personnel. Our chairmanship wishes to build on those achievements, to give new impetus to OSCE work in this area and to introduce some new ideas. In the fight against organized crime, the 2002 United Nations Convention against Transnational Organized Crime, called the Palermo Convention, is the international legal instrument par excellence. The OSCE offers a useful framework for promoting its ratification and providing specific support for its implementation by OSCE participating States.

Fourthly, Belgium will strive to contribute to conflict prevention and crisis management. More specifically, we will devote attention to Kosovo and to what we call the frozen conflicts in Moldova-Transdniestria, Nagorny Karabakh and Georgia-South Ossetia. The OSCE itself has neither the mission nor the means to impose a solution. It can, however — and this is its mission — supervise and facilitate the emergence of a solution if the will to negotiate really exists on the part of the main parties concerned.

The question of Kosovo will be given special attention by the Belgian chairmanship. Today, the OSCE mission in Kosovo is the largest of all OSCE missions, with 1,600 persons on the ground throughout Kosovo, including in villages and regions where members of the Serb minority live. In cooperation with the United Nations Interim Administration Mission in Kosovo (UNMIK), the OSCE mission is carrying out an important task related to the reconstruction of Kosovo. Its work focuses mainly on protecting minorities, decentralization, democratization, promoting human rights, elections, police training and supporting the administration.

Under the Belgian chairmanship, the future role of the OSCE mission in Kosovo will be assessed. UNMIK plans to gradually end its presence, which will lead to the transfer of tasks and competencies to other organizations, including the European Union and the OSCE. In-depth dialogue and close cooperation among the United Nations, the European Union, the OSCE, NATO and other main actors will be essential for success in Kosovo. The Secretary-General, Mr. Kofi Annan, has appointed Mr. Martti Ahtisaari as Special Envoy charged with leading the process of Kosovo's final status. The OSCE will be called upon to help implement the final status. Therefore, it is important that from the outset it be able to fully play its role among the international bodies concerned.

In Moldova, the OSCE is playing an important role in the mediation and determination of Transdniestria's future status. During its OSCE chairmanship, Belgium intends to make a constructive contribution to the status negotiations.

In 2005, we witnessed a rapprochement between Armenia and Azerbaijan on the question of Nagorny Karabakh. The Belgian OSCE chairmanship intends to contribute actively to the peace process and to the Minsk Group's efforts to ensure that that rapprochement can be translated into a settlement of the conflict in 2006.

In Georgia, the United Nations is playing a central role in efforts aimed at conciliation with Abkhazia. With regard to South Ossetia, such a central role is being played by the OSCE. We hope that the recent progress can pave the way for a peaceful settlement of the conflict. In parallel, the OSCE is now conducting an economic needs assessment. The

Belgian chairmanship is prepared to organize, if necessary, a donors conference in 2006.

The OSCE is also very active in the area of democratization. Electoral observation is an important instrument in that regard, even if it is sometimes challenged. I am convinced of the usefulness of this work and intend to ensure, as Chairman-in-Office, that observer missions can continue to carry out the tasks for which they were created: to contribute in an impartial manner to democratic development. As OSCE Chairman, I believe it is the duty of member countries to make full and timely use of existing instruments designed to guarantee the transparency and reliability of electoral processes. As Chairman-in-Office, I appeal to the Government of Belarus to invite the Office for Democratic Institutions and Human Rights to observe the upcoming presidential elections.

Those are the priorities of our OSCE chairmanship, but our programme has a broader scope. We will also pursue and develop the OSCE's other major areas of concern. I am thinking in particular of tolerance and non-discrimination or combating human trafficking. In the context of the OSCE's politico-military aspect, we will organize a major seminar in February 2006 concerning military doctrines.

With regard to the non-proliferation of weapons of mass destruction, the OSCE just adopted, at the Ministerial Council held in Ljubljana, a decision committing it to monitor the implementation by all its member States of Security Council resolution 1540 (2004). Furthermore, we are actively engaged in combating the illicit trafficking in small arms and light weapons; our actions are in accordance with the United Nations Programme of Action.

We will also devote particular attention to the link between the environment and security. To that end, we will strive to promote the Environment and Security Initiative, which brings together the United Nations, the OSCE and NATO in plans to destroy dangerous products.

Finally, terrorism is recognized by the United Nations and the OSCE as one of the most significant new threats. The OSCE Plan of Action for Combating Terrorism is part of the universal framework of United Nations conventions and General Assembly and Security Council resolutions. OSCE members are committed to ratifying and implementing United Nations conventions and protocols. Within the OSCE secretariat, the Action against Terrorism Unit has the mission of supervising the implementation of existing United Nations instruments and providing technical assistance to member States in the fight against terrorism. The Belgian chairmanship intends to continue making progress on the basis of the OSCE Plan of Action and to promote cooperation between the OSCE and the United Nations, particularly the Security Council's Counter-Terrorism Committee.

The United Nations and the OSCE share the same values. The two organizations work in many common areas, including such important fields as respect for human rights, democratization, the protection of minorities, conflict prevention, crisis management, combating organized crime, fighting terrorism and protecting the environment.

I would also like to assure the Security Council of our full support for the principles and recommendations contained in resolution 1631 (2005) — adopted last October — which aim to strengthen cooperation and consultation between the United Nations and regional organizations while at the same time recognizing the primary responsibility of the Security Council for international peace and security. As Chairman-in-Office of the OSCE, Belgium will endeavour to further promote synergies and complementarity between the United Nations and the OSCE. It is for that reason that I wished to brief the Council about the activities of the OSCE at the beginning of our chairmanship.

That is the outline of a programme that is both ambitious and realistic. It is ambitious because it opens up numerous new avenues for the OSCE while expanding the scope of others. It is realistic because we are aware that progress will only be possible through agreement among the OSCE's 55 member countries. As Chairman-in-Office, we intend to play the role of honest broker, working in the best interests of the organization as a whole and for the benefit of all its members. Good cooperation between the OSCE and the United Nations is crucial in that regard. In its capacity as Chairman-in-Office of the OSCE, Belgium wishes to contribute to that goal. We intend to meet the challenge. I look forward to the support and cooperation of the Security Council.

The President: I thank Mr. De Gucht for his briefing.

As there is no list of speakers, I invite Council members who wish to make comments or to address questions to the Chairman-in-Office to so indicate to the Secretariat as of now.

I shall now give the floor to those who have indicated their wish to speak.

Mr. Duclos (France) (*spoke in French*): Allow me to say at the outset that it is a great pleasure for me to greet the Minister for Foreign Affairs of Belgium in his capacity as Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE). It is a pleasure first of all because France and Belgium have very close ties; in fact, I would say that there are very deep affinities between our two countries. It is also a pleasure because my country is committed to the OSCE. Moreover, a number of our diplomats have left their mark on the history of the OSCE. We are very pleased that Mr. Marc Perrin de Brichambaut, a compatriot of ours, is the current Secretary General of the OSCE.

Why is the relationship between the OSCE and the United Nations, the issue that brings us here today, important? First of all, may I say — perhaps by way of background, but I nevertheless think it useful to mention — that the Organization for Security and Cooperation in Europe is a model of a bold and innovative approach to diplomacy. Those of us who still remember the days of East-West division — and especially of the division that existed in Europe at the time of that major ideological conflict — also recall the Helsinki Final Act. The Final Act represented a diplomatic revolution for numerous reasons, but for two reasons in particular.

First, the Final Act was a successful exercise in constructive ambiguity. For us as diplomats, that is worth taking note of, given the great usefulness of constructive ambiguity. It should be said that that was possible thanks to people themselves, who were able to grasp the potential of the work done by Governments and diplomats.

The Helsinki Final Act was also important in another respect: it was the first time that human rights emerged as a major element in and of themselves vis-à-vis relations among States. It was also the first time that the now-fundamental idea was voiced that there was something beyond States and sovereignty, namely, human rights.

The Conference on Security and Cooperation in Europe, as the OSCE was then known, took another diplomatically bold step by reinventing itself after the fall of the Berlin wall. That too is a lesson that bears learning. The same protagonists, along with new members, were able to adopt new permanent structures and to reorient the very mission of the organization. It was no longer just a matter of trying to overcome division; the organization also had to establish and expand common values. But the OSCE did not stop with that achievement: some time ago — like the United Nations — it undertook a reform effort to better adapt itself to the challenges of Europe today.

The relationship between the United Nations and the OSCE is important for other reasons that have to do with the agendas of our respective organizations. As Mr. De Gucht has pointed out, the OSCE is currently working in the area of conflict prevention and crisis management. Members of the Council will have noted that the various situations to which the Minister referred do not overlap exactly with those being dealt with by the United Nations. Kosovo, however, is one of the major issues we share; and we of course hope that our two organizations will carry out the necessary coordination and cooperation in that regard.

In other areas, however, the OSCE deals with matters that have been referred to as frozen conflicts. We should recall that, although Europe may appear to be a very fortunate and stable region as compared with other continents, it nevertheless harbours areas of tension — often deep-rooted and long-standing. It is to the OSCE's credit that it is dealing with those crises. It is proper that they are being addressed by a regional organization, and not being transferred to the United Nations. That is a good division of labour that we should maintain.

On the other hand, if we consider the thematic aspects of the agendas of our respective organizations, we can see that they overlap to a very significant extent. One of the basic purviews of the OSCE is human rights, which are, of course, a major concern of the United Nations.

Arising out of the issue of human rights are those of democratization and the monitoring of elections, which the Minister for Foreign Affairs of Belgium duly addressed in his statement. Those are tasks and processes with which we in the United Nations, and particularly in the Security Council, are frequently

involved in the context of managing post-conflict situations.

The Minister referred to the rule of law, which has been a major concern of the Security Council for some years now. He spoke of the fight against organized crime. I am aware that there has been very practical cooperation between the United Nations Office on Drugs and Crime and the OSCE, both of which are headquartered in Vienna.

I also note that, with respect to the fight against intolerance, racism and anti-Semitism, the United Nations might usefully be inspired by the work that has been done in those areas by the OSCE. The same goes for the struggle against human trafficking, which the OSCE has only recently begun to address but which has already yielded fruit. The issue is an extremely important and painful one, on which more active cooperation would be most useful.

In brief, it is clear that my country strongly supports the Belgian chairmanship of the OSCE. With his usual modesty, Mr. Karel de Gucht noted that Belgium intends to be an honest broker. We feel sure that it will be much more than that. It can also count on our support in strengthening the ties between the United Nations and the OSCE, particularly in the areas that I have outlined.

Mr. De Gucht is here representing both Brussels, the capital of the European Union, and Vienna, which is certainly the secret capital of Europe in its broadest sense, which includes America and Central Asia. We are fully confident that, in Brussels and in Vienna, Belgium will successfully discharge the important mandate entrusted to it this year.

Nana Effah-Apenteng (Ghana): Like the previous speaker, we wish to thank the Minister for Foreign Affairs of Belgium, in his capacity as Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), for his briefing.

We acknowledge the instrumentality of the OSCE in the process of mending the schisms of the cold war and its potential, through its commitments, norms and principles, to effectively contribute to the quest for global peace and security. We are therefore heartened by its commitment to restoring balance amongst its security, economic — including environmental — and humanitarian activities.

We also welcome the Chairman-in-Office's priority concerns, especially in the area of continuing the institutional reform of the OSCE, in order to strengthen the organization in the face of new challenges and threats to security, which is similar to what we are all dealing with at the United Nations now. The problems of human rights, trafficking in human beings, terrorism and crime are of concern to all States Members of the United Nations.

The rights and concerns of minorities have been the bane of democracies and generated conflicts in many areas of the world, not only in Africa, but also in certain areas of Asia and Europe. We recognize that the OSCE has considerable experience in national minority issues, and we hope that that rich experience will be brought to bear in resolving some of the frozen conflicts arising from minority issues in its areas of operation. In that regard, we welcome the Chairman-in-Office's planned visit to Armenia and Azerbaijan with a view to contributing to the successful resolution of the future of Nagorny Karabakh. In the same vein, we hope that his announced visit to Kosovo will contribute to ensuring that the OSCE plays its expected role on the future status of Kosovo.

We hope that the OSCE will also take advantage of the endorsement by the world summit of the need for enhanced cooperation between the United Nations and regional organizations, and strengthen its links with the United Nations as a whole, and especially with the Security Council.

Mr. Burian (Slovakia): First of all, I would like to thank Foreign Minister Karel de Gucht for his insightful and informative statement. On behalf of my delegation, I would like to wish Belgium a very successful term as Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE).

We welcome the priorities of the Belgian OSCE programme, as defined by the Chairman-in-Office, and its focus on rebalancing the OSCE's three dimensions by strengthening the economic dimension without weakening the human and politico-military dimensions. That approach fully conforms with the conclusions of the world summit about the mutually reinforcing and interlinked pillars of the United Nations system and foundations for collective security.

In reaction to Foreign Minister De Gucht's statement, I would like to stress three points.

First, the OSCE has played an important role in turning Europe into an area of peace and stability, and we believe that it is still needed in order to consolidate the achievements of the 30 years since the Helsinki Final Act was adopted. We agree that there is a need for the institutional reform of the OSCE in order to strengthen its capability to face new challenges and threats to security.

There is a certain similarity between the United Nations and OSCE, and not only in that area.

The priorities of the Belgian OSCE programme — such as the advancement of the rule of law, the fight against terrorism, defining a global and coherent approach to combating organized crime, new ways to strengthen mechanisms of non-proliferation and disarmament, and so on — coincide with the priorities of the United Nations and its Security Council for building a more stable and secure world.

The commonality of goals and challenges makes cooperation between those two organizations even more relevant and urgent. In that connection, it is important to note that the world summit has given new backing to efforts to strengthen cooperation and interaction between the United Nations and regional organizations. So as not to waste scarce resources, that cooperation should be based on the principles of complementarity of action, the pooling of resources and the proper division of labour.

We think that it is important for both organizations to strengthen their dialogue and interaction. Better communication should be achieved through liaison officers and regular consultations on matters of common interest at all appropriate levels, including that of the Chairman-in-Office.

Secondly, throughout the years of its existence, the OSCE has accumulated enormous potential and expertise in the area of institution-building, confidence-building, election monitoring, and the protection of human and minority rights. We believe that its valuable post-conflict and transformation know-how may be truly inspiring for other regional organizations. In our opinion, it could also be better utilized and reflected in the work of United Nations agencies and institutions, including the future work of the newly established Peacebuilding Commission.

Last but not least, we particularly appreciate the special attention paid by the Chairman-in-Office to the issue of so-called frozen conflicts in Moldova, Nagorny Karabakh and Georgia, as well as to developments in Central Asia and to post-conflict stabilization in the western Balkans, including the issue of the future status of Kosovo. That is another important area for cooperation and interaction between the United Nations and the OSCE.

We share the appreciation expressed for the work that the OSCE has done and is still doing in Kosovo. We expect the OSCE Mission in Kosovo, which is a component of the United Nations Interim Administration Mission in Kosovo, will remain focused on the issues of democratization, respect for human and minority rights, freedom of the media, elections, the training of law enforcement authorities and the functioning of democratic institutions, to which Mr. De Gucht referred in his statement.

The OSCE should continue to play its important role in the area of implementing standards for a democratic and tolerant society in Kosovo. In our opinion, that will be a major factor influencing the whole process of defining the future status of Kosovo. In this connection, I would like to ask Mr. De Gucht to elaborate a little further on the objectives of the Belgian chairmanship regarding the OSCE's activities aimed at making progress in the settlement of frozen conflicts and on the future of the OSCE mission in Kosovo in the context of the ongoing future status talks.

Mr. Vassilakis (Greece): I would like to welcome the Foreign Minister of Belgium and to thank him for having made the effort to come to New York to brief us today on the comprehensive programme of the Organization for Security and Cooperation in Europe (OSCE) for 2006. It is a particular pleasure for me to welcome him here, and not just because our countries have close relations: it happens also that I studied in Belgium.

It is true that he will have to confront a great many challenges in the coming 12 months. It sounds from what we have heard today that the OSCE is ready to tackle all of the problems and challenges facing it with renewed effort, fresh ideas and sincere commitment. We wish Mr. De Gucht success and hope that his efforts will be rewarded. The OSCE, given its important role and unique cross-dimensional mandate, certainly deserves that. He will certainly have the full support of Greece.

Thirty years after the Helsinki Final Act and the creation of what is now the OSCE, Europe is a new continent, broadly at peace and fully engaged in the development of new cooperative structures. The contribution of the OSCE as the largest regional organization on security, encompassing and joining countries from Vancouver to Vladivostok, has been central in the construction of the new European security architecture, as well as in ensuring the protection of human rights and addressing many other issues to which other speakers have referred in detail.

Over the past few years, the OSCE has been trying to redefine itself in order to better adapt to a fast-changing and ever more complex environment, and that accounts for the recent difficulties that the organization has had to face. Despite those difficulties — or perhaps because of them — one thing has become clear, especially in the past year: the OSCE has not outlived its usefulness, and ongoing concerns about questions of stability and security in the whole of Europe make clear that there is still a need for a strong, efficient regional organization that has successfully reinvented and reoriented itself. A pertinent example of that is the extensive experience and important input of the OSCE in the Balkans. Its activities cover the fields of institution-building, good governance, the rule of law and election monitoring.

It goes without saying that the cooperation of the OSCE with the United Nations in various crisis areas contributes not only to peace and stability, but also to a better division of labour, which can have only positive results.

In closing, I would like to ask the Belgian Chairman-in-Office a number of questions. He mentioned that the three main dimensions of the OSCE have so far received unequal treatment, and that during his chairmanship he intends to deal more substantively with the economic and environmental dimensions. I would like to ask him what that would encompass. Are there more detailed plans for achieving such a rebalancing? How would the targets be better defined? By what practical means would the goal be achieved? I would be grateful for more details.

Mr. Mayoral (Argentina) (*spoke in Spanish*): I would like first of all to thank the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), Foreign Minister Karel de Gucht, for his briefing on the priorities of his organization for 2006. I would like to recall the statement that his predecessor made to the Council last year regarding the work under way to adapt the organization to the new security challenges (see S/PV.5134). We were pleased to hear today that the institutional reforms are continuing and that one of the priorities of the Belgian chairmanship-in-office will be to balance the various aspects of the OSCE agenda by strengthening the economic dimension and according equal attention to the human and political-military dimensions.

In this context, we believe that it was important to emphasize that peace and stability must be based on the principles of respect for democracy, civil liberties and human rights, and that it is not possible to achieve sustainable stability without according priority to economic development.

We believe that it is crucial to highlight the organization's work in encouraging and promoting the rule of law and defending and promoting human rights, particularly in countries and regions where there have been armed conflicts in the past. Kosovo, Georgia, Moldova and Nagorny Karabakh are some of those areas where the OSCE is involved and is working efficiently.

We would also like to highlight the organization's role in combating organized crime and countering terrorism, as I was able to see for myself in September when I visited in my capacity as Chairman of the Security Council Committee established pursuant to resolution 1267 (1999). We believe that those are two priorities for the organization and, through Mr. De Gucht, we would like to commend the Secretary General of the organization for the efficient work being done in both of those areas.

Mr. De Gucht also spoke of his organization's role with respect to the future status of Kosovo — one of its priorities for 2006. We agree with him that the OSCE can play a key role within the context of negotiations, and it will continue to be an important element in the international presence in Kosovo.

We were pleased also to hear of the Minister's plans to visit the region next February, and we welcomed his announcement that he would be in close contact with the Special Envoy of the Secretary-General, Martti Ahtisaari, in order to ensure active participation of the OSCE.

Lastly, we would like to hear how the Minister views the future role of the OSCE and how it will be coordinated with the work of the other organizations involved in that process.

Sir Emyr Jones Parry (United Kingdom): It gives me particular pleasure to welcome Karel de Gucht, who, sad to say, I first came across more years ago than either of us would wish to remember, in another place — probably 20 years ago. I have seen all the contributions he has made in different incarnations since. I welcome him in this newer incarnation and thank him for his briefing.

The Security Council has increasingly recognized the role and importance of regional organizations. We have done that in the resolutions we have adopted, and I believe that what we heard this morning demonstrates the commonalities that exist between the aims of the United Nations on the one hand and those of the Organization for Security and Cooperation in Europe (OSCE) on the other. If the Security Council has primary responsibility, which it does, for international peace and security, we actually have a shared interest — both of us and other regional organizations — in how, in practice, we tackle not just individual, actual conflicts, but in how we prepare and cope with generic issues associated with threats to international peace and security.

The Minister set out for us the three pillars of the OSCE. That rings so true with what is basic for the Security Council in approaching post-conflict situations. We need to tackle security-related, political, institutional and economic issues. He played back to us what Kofi Annan said in his report for the summit: that one cannot have security without development. We would say also, of course, that one cannot have development without security — the two concepts interlinked with that of the third pillar: human rights.

It is a truism for all of us that the rule of law and democratization are basic to that process and that they are much more than just the holding of elections. Elections are a symptom of the rule of law; up to a point, they may be the outcome of it. But elections in and of themselves are not enough without the creation of the conditions, the institutions and everything else that goes with the rule of law and the establishment of democratic societies.

That is why the contribution made by the OSCE in Kosovo was so important. It remains one of the key pillars of the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) there. We — the United Nations, the European Union and the OSCE — have a shared interest in an outcome in Kosovo that addresses the whole question of the aspirations of the people and the need, at the same time, for regional stability, in a way that contributes to a peaceful outcome and does not actually cause disturbance or potential instability.

The Minister also brought up the question of the new challenges, which are not just for the Security Council and the United Nations — the whole United Nations family; terrorism, organized crime and so on are key issues. The fairly self-evident lesson is that for the United Nations and the OSCE, the need for enhanced cooperation and for working together in a practical manner is actually very important, not just to put in place the theory and the idea that, of course, there are links between us at a broad level, but in order to actually produce practical contributions whenever there is a need to do so.

He has set out a whole range of areas and situations. I can only agree with him and stress that one of the lessons of the last two years has been to understand fully to what extent regional cooperation, albeit under Chapter VIII or whatever other arrangement, with the United Nations and its family is basic to tackle these key issues wherever necessary. He has shown us today how that applies to the European continent. I think that the United Kingdom can only agree with him.

Mr. Denisov (Russian Federation) (*spoke in Russian*): We are pleased to welcome here the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) and Minister for Foreign Affairs of Belgium, Mr. De Gucht, and we should like to thank him for his briefing.

On the whole, we agree with the approach taken by the Belgian chairmanship to structuring the work of the organization for 2006. Russia welcomes the decisions taken at the recent OSCE Ministerial Council, held in Ljubljana. The positive results obtained were due largely to the persistent efforts of the Slovenian chairmanship. We are convinced that the Belgian chairmanship will carry out its work in a similar manner. Russia is prepared very constructively to cooperate with the Belgian chairmanship, including building on the agreements reached at Ljubljana.

We support the all-round development and enhancement of cooperation between the United Nations and its Security Council and regional and subregional mechanisms on the basis of the Charter of the United Nations, in particular its Chapter VIII, duly taking into account the comparative advantages involved.

We note with satisfaction that, as a regional mechanism, the OSCE has established close and fruitful cooperation with the United Nations in a number of key areas, primarily with respect to security and to the resolution of regional conflicts.

I should like in particular to note the contribution made by the OSCE to the implementation of Security Council resolution 1244 (1999) on Kosovo, Serbia and Montenegro. The OSCE mission in the province, which is part of the United Nations Mission in Kosovo, is playing an important role in particular in monitoring, encouraging and promoting observance of human rights as well as monitoring the local media, and on the whole in introducing the standards adopted by the international community. This is particularly important at this time, in the light of the process that is now under way to determine the future status of Kosovo.

Important work in the area of political support provided by the United Nations is being done by the OSCE in the context of the Nagorny Karabakh settlement, where recently we have noted some positive progress. We hope that during the Belgian chairmanship, the OSCE will continue to facilitate the resolution of a number of other crises and conflicts in its area of competence in the framework of the division of labour that has developed with the United Nations.

Russia, for its part, will continue to support such efforts on the part of the OSCE.

In conclusion, allow me once again to wish the Belgian chairmanship every success in its work in this very difficult year of 2006.

Mr. Olson (United States of America): I will take the floor only briefly, just to welcome the Minister and to thank him for his very comprehensive briefing and assure him and the Organization for Security and Cooperation in Europe (OSCE) of both my delegation and the Council's continued support in carrying out our entirely complementary agendas.

I would like to ask the Minister if he could provide just a little bit more information on the role he feels the Office for Democratic Institutions and Human Rights could play in encouraging the growth of democratic institutions both in Europe and in Eurasia.

Ms. Løj (Denmark): I, too, would like to welcome the statement by the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), the Foreign Minister of Belgium. As a member State of the OSCE, we welcome and endorse the priorities for the Belgian chairmanship in 2006. I particularly welcome the Minister's stress on the continued close cooperation with the United Nations in implementing priorities and, in particular, cooperation in the fight against terrorism.

I have the honour of chairing the Security Council's Counter-Terrorism Committee (CTC). In that capacity, I welcome the intention of the Chairman-in-Office to ensure continued and deepened cooperation between the OSCE and the CTC in the fight against terrorism. The cooperation between the OSCE and the CTC is, indeed, a model for the cooperation that the Committee is striving to establish with regional organizations in other areas of the world.

In conclusion, I welcome the enhanced focus of the Belgian chairmanship of the OSCE on the economic dimension. As the Minister and Chairman-in-Office knows, the United Nations has recently decided to establish a Peacebuilding Commission. I am confident that, in getting the work of the Peacebuilding Commission under way, the United Nations could be inspired by the work already undertaken by the OSCE in ensuring stabilization, democratization and development as the bases for sustainable peace. I therefore look forward to intensified cooperation between the OSCE and the United Nations.

The President: I shall now make some remarks in my capacity as the representative of the United Republic of Tanzania.

I wish to join others in congratulating the Minister for Foreign Affairs of the Kingdom of Belgium, Mr. Karel de Gucht, on the assumption of the chairmanship of the Organization for Security and Cooperation in Europe (OSCE) and in thanking him for his briefing this morning. We also pay tribute to the outgoing Chairman, Mr. Dimitrij Rupel, Minister for Foreign Affairs of Slovenia, for his work while he was in office.

The OSCE is doing a commendable job in complementing the task of the United Nations of maintaining peace and security and in responding to threats to peace in the areas that fall under its mandate.

Although the Organization encountered many challenges last year, it responded to them in a professional and exemplary manner and prevented the further escalation of conflicts in Central Asia and the Caucuses. It also took on board the running of police development units, coordinated and implemented conventions and protocols on antiterrorism and addressed economic and environmental threats to security.

The priorities that the OSCE has set for itself during the Belgian chairmanship — which include the promotion of the rule of law, the penal systems, access to justice, combating international crime and a whole range of economic and political matters — are very high goals that, we are sure, the OSCE will fulfil to the best of its ability.

The activities of the OSCE are a great source of encouragement to other, similar organizations around the world to complement the objectives of the United Nations. Far us in Africa, it provides an example worth emulating in the areas of security, regional political institutions, human rights and development.

I now resume my function as President of the Council.

I now give the floor to Mr. Karel de Gucht to respond to comments and questions raised.

Mr. De Gucht: First, I would like to thank all representatives that intervened in the debate for their support for the Organization for Security and Cooperation in Europe (OSCE) and for my country's chairmanship this year.

Slovakia had a question concerning the frozen conflict in Kosovo. With respect to frozen conflicts, the OSCE is certainly in the driver's seat with respect to South Ossetia. We hope that our initial judgement — that this frozen conflict may be ripe for treatment — is correct.

The same is probably true of Nagorno-Karabakh, where the OSCE is present through the Minsk Group. It is foreseen that the Presidents of Armenia and Azerbaijan will meet in the course of February. Even before that meeting, I will go to the region and hold meetings with the Presidents of both countries to prepare their discussion.

The frozen conflict of Moldova-Transdniestria is very complicated. What the OSCE should attempt to do there is twofold. First, we should have a road map for how to include Transdniestria in a federal set-up of Moldova. Second, we should create the conditions that allow for the removal of all foreign troops from Transdniestrian soil.

As for Kosovo, the Security Council has appointed Mr. Martti Ahtisaari as the chief negotiator for the status of Kosovo. I have already met him, twice, and will continue to do so after my visit to the region later in February. We met on Friday in Vienna. Mr. Ahtisaari put a lot of emphasis on the role of the OSCE from now until an eventual agreement on status, as well as afterwards. In addition, in the intermediate period, the role of the OSCE will be very important, because it is the organization with the most representatives and the most people on the ground. We are represented down to the level of the smallest village in Kosovo and in those parts of Kosovo where the problem of the Serb minorities is very prominent. We are working very closely with Mr. Ahtisaari and his people. And we are of the opinion that it would be very welcome if the OSCE were given all the tools to fulfil that very important task.

With respect to frozen conflicts, there is not only the question of their resolution, as such. There is also the environment. In that connection, the economic dimension, for example, surfaces again. Cross-border cooperation and economic development are very important. That means that if those conflicts are to be resolved, the OSCE should be there for the long term to establish fully fledged modern societies in those regions.

Another question came from Greece, on the unequal treatment of the three baskets within the OSCE. That remark has been made repeatedly. I think it is to the benefit of the OSCE that we should try to re-equilibrate the relations between the three baskets. That is why we will strengthen OSCE action in the economic basket, also at the demand of several participating States with very concrete proposals such as the promotion of regional cooperation in the field of transportation. In particular, we would like to introduce the cooperation dynamics of the Stability Pact of the Balkans at the OSCE level.

Then there was a question by the representative of Argentina on the future role of the OSCE. The future role of the OSCE depends, of course, on the participating States, at least to the extent that they give us opportunities to play that role so that we will be in a position to do so. Sometimes there is hesitation. What we would like to do during our chairmanship-in-office is to create an environment that allows all participating States to cooperate fully within the OSCE. That also means that the OSCE should acquire more political prominence than was the case in the recent past.

With regard to the question by the representative of the United States of America regarding the Office for Democratic Institutions and Human Rights (ODIHR), we are of the opinion that the monitoring of elections is a very valuable contribution to peace, stability, modernization and democracy in the region. Recently, there has been much discussion on the role of ODIHR. That is why, by means of negotiations in Ljubljana, which took quite a long time, we came to an agreement on a road map for how to evaluate ODIHR in the year to come. On the basis of that document, ODIHR will present a self-evaluation and will put questions to all participating States. On the basis of that, a report will be elaborated that will be discussed openly at the next ministerial meeting, in Ljubljana. In preparing the discussion for that ministerial conference — which will in fact be centred on ODIHR and the chairmanship-in-office — I intend to create conditions that will give ODIHR every opportunity to carry out its very important task, as well as to strive to achieve a consensus among all participating States on how to put this into practice effectively.

The President: I thank Mr. De Gucht for the clarifications he has provided.

Once again, I thank the Minister for Foreign Affairs of Belgium for having come to brief the Security Council this morning.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.35 a.m.

United Nations S/PV.5347

Security Council

Sixty-first year

Provisional

5347th meeting

Tuesday, 17 January 2006, 3 p.m.

New York

President:	Mr. Mahiga	(United Republic of Tanzania)
Members:	Argentina	Mr. Mayoral
	China	Mr. Li Junhua
	Congo	Mr. Ikouebe
	Denmark	Mr. Faaborg-Andersen
	France	Mr. De Rivière
	Ghana	Mr. Tachie-Menson
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Smirnov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Bolton

Agenda

The situation in Afghanistan

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-20989 (E)

The meeting was called to order at 3.15 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Afghanistan

The President: I should like to inform the Council that I have received a letter from the representative of Afghanistan, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Bâzel (Afghanistan) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

There being no objection, it is so decided.

I invite Mr. Arnault to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan, on whom I now call.

Mr. Arnault: I wish to thank the Security Council for this opportunity to report to it on developments in Afghanistan since the most recent briefing by Under-Secretary-General Jean-Marie Guéhenno, on 23 November 2005, and ahead of the very important conference on the future agenda of the Afghan peace process, which is to be held in London in two weeks.

As the Council is aware, almost four years to the day after the signing of the Bonn Agreement, the political transition in Afghanistan was completed with the inauguration, on 19 December 2005, of the new Afghan National Assembly. That inauguration was the capstone in a process that saw, in a very short four years, the installation of an interim, and subsequently a transitional, authority, the adoption of a new democratic constitution, the holding of presidential elections and, most recently, the parliamentary elections of September 2005. As a result, the permanent Government institutions have now been re-established, as required under the Bonn Agreement, and, it is fair to say that, as called for in the same Agreement, they are broad-based, multi-ethnic, gender-sensitive and representative.

Following the inauguration of the National Assembly, in a narrow vote the lower house elected as its chair Yonous Qanooni, one of the architects of the Bonn Agreement, a former presidential candidate and, until his assumption of that parliamentary post, a leading opposition figure. The upper house elected as its chair Mr. Sigbatullah Mojaddedi, former President of Afghanistan, former chair of the Constitutional Loya Jirga and current leader of the national reconciliation programme. Of the five office-bearers in the lower house, one — the second deputy speaker — is a woman.

Since the inauguration, both houses have made some progress in the discussion of their rules of procedure. A number of the draft provisions have already been adopted, and the remainder will be applied on a provisional basis for three months, after which they will be revisited for further consideration. The National Assembly has also decided on the establishment of parliamentary committees, although their membership will need to be determined.

One of the major rules of procedure that has yet to be finalized relates to the process by which the parliament will exercise its constitutional prerogative of endorsing the members of the cabinet. The parliament has yet to decide whether it will do so for the cabinet as a whole or for each minister individually. At the request of the President, the actual review of appointments will take place after the London conference to be held at the end of this month, as he

has indicated that many of his cabinet members are fully involved in the preparation of the Afghanistan compact to be launched in London.

The Government also decided on the establishment of a ministry for parliamentary affairs to facilitate the interaction between the cabinet and the National Assembly. While representatives from the National Assembly will not be part of the Afghan delegation to the London conference, the chairperson of the lower house, Mr. Qanooni, has expressed an interest in working with the Government and the international community to examine the post-Bonn agenda and to identify ways and means to ensure that the benchmarks can be met. More generally, Mr. Qanooni has stressed his intention to cooperate with the Government and the international community. That is a good start, and it is very important that cooperation between the two branches of Government should continue.

On other political developments, I am pleased to report that, on 12 December 2005, the cabinet approved the National Action Plan on Peace, Reconciliation and Justice after several months of discussions and consultations. The plan acknowledges the plight of the millions who were victims of the conflict and seeks to address their needs through reparation, truth-seeking, the strengthening of the justice institutions and national reconciliation. While the implementation of the Plan is bound to face some objections on the part of some groups, a conference on transitional justice that took place in December suggested that there is in fact broad support for truth-finding, the vetting of Government officials and justice as important components of the peace process.

Building on the disarmament programme completed in July last year, a strategy for the disbandment of illegal armed groups has now been agreed by national and international partners. Those groups number in the hundreds and are linked to the drug trade, factions and organized crime and are major contributors in the countryside to the weakness of the Afghan State. Learning the lessons from the disarmament programme, the strategy clarifies that

> "success will not be defined by the collection of weapons alone, but the actual disbandment of illegal armed groups and advances in citizens' security, good governance and the rule of law".

A concept of operations is near finalization. Herat and Kapisa have been identified as the first two provinces for implementation of the disbandment strategy.

Along with those positive developments, I must once again bring the security situation to the attention of the Council. While the overall number of violent clashes and incidents countrywide has dropped over the past two months, in keeping with the seasonal pattern, the South, as members know, has witnessed a negative trend in the tactics used by anti-Government elements, with deadly effect. In a suicide attack two days ago on 15 January, a vehicle-borne explosive device detonated near a convoy of the Canadian provincial reconstruction team in Kandahar, killing its political director, Mr. Glyn Berry. Three Canadian soldiers, as well as Afghan civilians, were injured in that terrorist attack. Let me reiterate the tribute paid yesterday by the Secretary-General to Mr. Glyn Berry, a senior member of the Canadian Foreign Service and former Vice-Chairman of the General Assembly's Special Committee on Peacekeeping Operations.

At the end of that day, Kandahar province was hit again by another suicide bomber in Spin Boldak district, leaving a toll of 20 reported dead and 20 injured. Hours before, a roadside explosive device was detonated in Kandahar city, killing three Afghan National Army soldiers and two civilians, and injuring another 10. In total, of the 19 suicide attacks over the past 12 months, 13 have occurred in the last 10 weeks — three in November, six in December and four in January.

In another development, attacks using improvised explosive devices have been carried out against international military forces under NATO leadership in parts of the country where such attacks had been rare, such as Mazar-i-Sharif, Baghlan and Herat. Furthermore, violence and threats against local officials, religious leaders and schools are continuing and intensifying, particularly in the South and South-East of the country. The security dimension therefore remains at the heart of the joint efforts of the Government and the international community, both as a priority concern that needs to be addressed through military and non-military means and also as a limitation on the ability of the international community, and the United Nations in particular, to operate throughout the country.

Let me now brief the Council on the planned transfer of operational authority from Operation Enduring Freedom to NATO. That will continue in 2006. The provincial reconstruction team in Kandahar, previously led by United States forces deployed under Operation Enduring Freedom, was transferred to Canada in August 2005 and will eventually operate under the command of the International Security Assistance Force (ISAF). On 8 December, NATO foreign ministers decided to expand the International Security Assistance Force by an additional 6,000 troops, which would bring the total from the current 9,200 to a little over 15,000. Firm guarantees of individual NATO member States to contribute additional troops for that expansion, however, are yet to be secured.

As it expands to areas previously under coalition command, it is imperative that ISAF be provided with the means necessary to its credibility, particularly in the face of the unusually high number of attacks carried out against international military forces that I described earlier. That will require, in addition to a robust combat capability and coherence across national rules of engagement, a strong political will to stay the course.

The unhappy news that I had to report on the security front should be taken for what it is — an indication that, while great gains have been made in the past four years in many areas, the challenges are still considerable and the job is far from done. Mobilizing the resources of the newly established Afghan institutions and those of the international community remains, therefore, key to the consolidation of peace and stability in Afghanistan.

In that respect, in August 2005 the Security Council welcomed

> "the desire of the international community and the Afghan Government to agree a new framework for international engagement beyond the completion of the Bohn process" (*S/PRST/2005/40, p. 2*)

and took note of the intention of the Secretary-General to hold consultations with the Government and all concerned international actors on a post-electoral agenda.

Those consultations have been going on since September with a very wide range of actors, both Afghan and international, and we look forward to their outcome — the compact for Afghanistan — being launched in London on 31 January. The Afghan Government has taken the consultations very seriously and, over the past four months, under the leadership of President Karzai, senior ministers as well as staff from the President's office have been engaging the international community on a permanent basis. All diplomatic missions in Kabul, international organizations and NATO were consulted repeatedly on the contents of the compact and hundreds of proposals were made and discussed. As a result, the document that is now in the last drafting stage is, we believe, a comprehensive and strong blueprint for what will be, in the next five years, an intensive exercise in peacebuilding.

The compact addresses in an integrated manner the major challenges that confront Afghanistan: security; governance, human rights and the rule of law; development; and counter-narcotics as a major cross-cutting endeavour. It emphasizes the leadership that the Afghan State, strengthened by the democratic process that has unfolded in the past fours years, can and must take. It also establishes some key principles aimed at maximizing the impact of the peacebuilding process, including sustainability, capacity-building, gender-sensitive approaches, accountability and the key role to be played by regional cooperation.

The compact also establishes, as precisely as can be, key benchmarks and timelines with a view to facilitating cooperation and follow-up, and also to pacing popular expectation of what can be achieved in the coming years. It seeks to improve the delivery of assistance with detailed commitments to aid effectiveness. Finally, it provides for the establishment of a coordination mechanism that recognizes the leadership of the Afghan Government and also, to quote the Security Council presidential statement of 23 November,

> "the central and impartial role the United Nations continues to play for the consolidation of peace and stability in Afghanistan and coordination of the relevant international efforts" (*S/PRST/2005/56, p. 1*).

Coming as it did in the wake of the great achievement that was the completion of the Bonn agenda, the latest tragic news from Kandahar has served as a sad reminder of the magnitude of the

outstanding tasks in the consolidation of peace in Afghanistan. But it should not distract us from one of the main facts of the Bonn process, namely that, in the past four years, Afghans have, as the draft compact points out, successfully defied violent extremism and hardship to lay the foundations for a democratic, peaceful, pluralistic and prosperous State. They deserve our confidence that, with undiminished assistance from the international community, they will be equally successful in the realization of the vision contained in the compact for Afghanistan.

I trust that the Security Council will lead the international community, as it did during the Bonn process, into a full and lasting commitment to that vision.

The President: I thank Mr. Arnault for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to a private meeting following the adjournment of this meeting.

The meeting rose at 3.35 p.m.

United Nations S/PV.5348

Security Council

Distr.: General
17 January 2006

Original: English

Official communiqué of the 5348th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Tuesday, 17 January 2006, at 3.40 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"At its 5348th meeting, held in private on 17 January 2006, the Security Council considered the item entitled 'The situation in Afghanistan'.

"Pursuant to the decision taken at the five thousand three hundred and forty-seventh meeting, the President, with the consent of the Council, extended an invitation under rule 37 of the Council's provisional rules of procedure to the representative of Afghanistan.

"The President, with the consent of the Council, extended an invitation under rule 37 of the Council's provisional rules of procedure to the representative of Germany.

"Pursuant to the decision taken at the five thousand three hundred and forty-seventh meeting, the President, with the consent of the Council, extended an invitation under rule 39 of the Council's provisional rules of procedure to Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

"Members of the Council, the representative of Afghanistan and Mr. Arnault had an exchange of views."

06-21183 (E) 170106

United Nations S/PV.5349

Security Council

Distr.: General
19 January 2006

Original: English

Official communiqué of the 5349th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Thursday, 19 January 2006, at 10 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 19 January 2006, the Security Council, pursuant to annex II, sections A and B of resolution 1353 (2001), held its 5349th meeting in private with the troop-contributing countries to the United Nations Mission in Côte d'Ivoire.

"The Security Council and the troop-contributing countries heard briefings under rule 39 of its provisional rules of procedure by Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Colonel Ian Sinclair, Chief of Military Planning Service of the Department of Peacekeeping Operations.

"Members of the Council, Mr. Guéhenno, Colonel Sinclair and representatives of participating troop-contributing countries had a constructive exchange of views."

06-21397 (E) 190106

The meeting was called to order at 1.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Côte d'Ivoire

Seventh progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2006/2)

The President: I should like to inform the Council that I have received a letter from the representative of Côte d'Ivoire in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Bailly-Niagri (Côte d'Ivoire) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2006/2, which contains the seventh progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council strongly condemns the recent violent attacks against the United Nations Operation in Côte d'Ivoire (UNOCI) and international NGO facilities in Côte d'Ivoire by street militias and other groups associated with the 'Young Patriots', as well as their instigators. The Security Council expresses its deep concern also at the violent and orchestrated street protests led by the 'Young Patriots', in particular in Abidjan and in several cities in the west.

"The Security Council regards these particularly serious and unacceptable incidents as endangering the process of national reconciliation enshrined in resolution 1633 (2005) and as contrary to this resolution. It calls upon all Ivorians to refrain from any hostile action, and demands the immediate end of this violence and of all hatred messages in the media, in particular the attacks against the United Nations. The Security Council welcomes the urgent mission led by President Obasanjo in Abidjan. It pays tribute to his efforts and hopes that they will lead to a rapid decrease of the current tensions on the ground.

"The Security Council underlines also that the occupation of the RTI facilities constitutes an attack against freedom and neutrality of information as well as a breach of the principles of the process of national reconciliation, of the previous resolutions of the Security Council and of the peace agreements. It demands that effective control by the board and the General Director over the RTI shall be re-established immediately.

"The Security Council reiterates its full support for the Prime Minister, Mr. Charles Konan Banny, and invites UNOCI, in accordance with its mandate, to provide him all the necessary support. It reiterates also its full support for the International Working Group (IWG), the Special Representative of the Secretary-General and the High Representative for the elections. It endorses the final communiqué of the IWG of 15 January 2006.

"The Security Council firmly calls upon all the Ivorian parties to cooperate with the Prime Minister, the International Working Group, the Mediation Group, the Special Representative of the Secretary-General and the High Representative for the elections in implementing the road map.

"It underlines that targeted measures will be imposed against persons to be designated by the Committee established by paragraph 14 of resolution 1572 (2004) who, among other things, block the implementation of the peace process, including by attacking or obstructing the action of UNOCI, of the French forces, of the High Representative for the elections or of the

International Working Group, or who incite publicly hatred and violence, as provided in resolutions 1572 (2004) and 1643 (2005)."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2006/2.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.30 p.m.

United Nations S/PV.5351

Security Council

Sixty-first year

Provisional

5351st meeting

Monday, 23 January 2006, 10 a.m.

New York

President:	Mr. Mahiga	(United Republic of Tanzania)
Members:	Argentina	Mr. Mayoral
	China	Mr. Wang Guangya
	Congo	Mr. Okio
	Denmark	Mr. Faaborg-Andersen
	France	Mr. De La Sablière
	Ghana	Mr. Tachie-Menson
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Dolgov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Brencick

Agenda

The situation in Timor-Leste

Progress report of the Secretary-General on the United Nations Office in Timor-Leste (S/2006/24)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-21738 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Timor-Leste

Progress report of the Secretary-General on the United Nations Office in Timor-Leste (S/2006/24)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Austria, Brazil, Indonesia, Portugal and Timor-Leste, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I request the Chief of Protocol to escort His Excellency Mr. Kay Rala Xanana Gusmão, President of Timor-Leste, to a seat at the Council table.

Mr. Kay Rala Xanana Gusmão, President of Timor-Leste, was escorted to a seat at the Council table.

The President: On behalf of the Council, I extend a warm welcome to the President of Timor-Leste.

At the invitation of the President, the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of Mission of the United Nations Office in Timor-Leste.

It is so decided.

I invite Mr. Hasegawa to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2006/24, which contains the progress report of the Secretary-General on the United Nations Office in Timor-Leste.

I wish to draw the attention of the members to document S/2006/39, containing the text of a letter dated 20 January 2006 from the Permanent Representative of Timor-Leste addressed to the Secretary-General.

At this meeting, the Security Council will hear a briefing by Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of Mission of the United Nations Office in Timor-Leste. I now give him the floor.

Mr. Hasegawa: It is a pleasure for me to address the Security Council on the progress made during the five months since the Council last met on this item, in August 2005. Today, I feel particularly privileged to address the Council in the presence of His Excellency President Kay Rala Xanana Gusmão and Foreign Minister José Ramos-Horta, along with Ambassador José Guterres of Timor-Leste.

The past five months have turned out to be a productive period for the United Nations Office in Timor-Leste (UNOTIL) in implementing the three mandated programmes and in preparing for the transfer of capacity-building functions to United Nations agencies and other development partners, as called for in Security Council resolution 1599 (2005).

Let me start with the first component of the UNOTIL mandate implementation, that is, support to critical State institutions. Since 2002, international advisers provided by the United Nations and bilateral development partners have achieved a great deal of progress in building the capacity of the Timorese to administer their public institutions. As a result, the number of international advisers provided by the United Nations system has declined from nearly 300 three years ago to about 100 at the end of last year.

I am pleased to note that, during the past five months, UNOTIL civilian advisers accelerated their efforts to transfer skills and knowledge, and that their Timorese counterparts are now demonstrating increased ability and willingness to carry out their duties. Yet national capacities in highly technical areas, such as justice and finance, remain extremely weak, and it has become evident that international advisory support, especially in those two areas, will be required for some years to come.

In the justice sector, eight international judges have continued to provide training, as well as to perform line functions in court, including the handling of serious criminal cases. The presence of international judges has greatly contributed to the efficient disposition of the cases and has reduced the time for completing trials to five months. Nonetheless, it will take a few more years for the national judges to become self-sufficient, as they are still undergoing basic judicial training.

President Gusmão recently expressed his concern about the capacity of public prosecutors to deal adequately with as many as 3,000 pending civil and criminal cases. This situation needs urgent attention indeed, as all the national prosecutors commenced specialized training in January and will not be able to attend to their responsibilities. Additional international prosecutors are, therefore, required. The recent inauguration of the law faculty of the National University of Timor Lorosa'e will provide a long-term sustainable solution to the lack of adequate national legal expertise.

In the finance sector, a great deal of progress has been made in building national expertise. As a result, the number of United Nations-funded advisers was dramatically reduced from nearly 70 three and a half years ago, to less than 10, along with several bilateral advisers, by the end of last year. Currently, six UNOTIL civilian advisers are supporting the Ministry of Planning and Finance. The World Bank has shown its readiness to implement a technical assistance programme. However, the Government is requesting the United Nations to continue providing such advisers to maintain the critically important financial functions.

As the Secretary-General's report (S/2006/24) indicates, of the 45 adviser positions, several posts will be taken over by national institutions by 20 May. The remaining functions will be looked after by the appropriate United Nations agencies, financial institutions and other development partners.

Let me now turn to the second UNOTIL mandate: to provide support for the observance of democratic governance and human rights. We have assigned human rights officers to Government ministries and State institutions, with the aim of strengthening their capacity to protect and promote human rights. In that connection, it is commendable that the Office of the Provedor for Human Rights and Justice has indeed made great progress in drafting a strategic plan and establishing a complaint-handling system in preparation for the opening of the Office to the public in March 2006. Beyond May, human rights activities will need continued attention by the international community. I am pleased to inform the Security Council that the Office of the United Nations High Commissioner for Human Rights is fully committed to providing the necessary assistance and sending a needs assessment mission next month for the purpose of clearly identifying post-UNOTIL requirements.

Under the leadership of Foreign Minister José Ramos-Horta, Timor-Leste has demonstrated a remarkable commitment to establishing a normative international human rights framework through its early ratification of the full range of the core human rights treaties in 2003 and 2004. Timor-Leste is about to complete its final initial human rights reports under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women, with the support of United Nations agencies and human rights officers.

I am pleased that the Commission for Reception, Truth and Reconciliation has just completed its report, and that the President handed it to the Secretary-General last Friday. As President Gusmão will report, the Commission has covered a wide range of issues and made several specific recommendations that require careful consideration.

I shall now turn to the third component of UNOTIL's mandate, namely, support to the national police, and particularly to the Border Patrol Unit, through the provision of 60 police and 15 military training advisers.

UNOTIL police training advisers and their Timorese counterparts have conducted a joint capacity assessment of each unit and formulated a strategic plan for their further development. Military training

advisers have now completed the initial phase of the transfer of border management skills and entered into the validation phase, so as to ensure that the Border Patrol Unit has the capacity to interact with its Indonesian army counterparts as equal and professional partners.

However, the need to accelerate the implementation of those training programmes became quite evident on 6 January, when an incident took place during which three people were shot dead at the border by the Timorese police. I commend the decision made immediately by the two countries, Timor-Leste and Indonesia, to undertake a joint investigation into the incident. The incident has prompted UNOTIL, for our part, to refocus our attention on the specific need to enhance the professionalism of the Border Patrol Unit. In that regard, I have instructed UNOTIL police and military training advisers to review and redesign the training programme by placing greater emphasis on the minimum use of force during arrests and detentions, in order to avoid the recurrence of incidents of that nature.

Meanwhile, as noted in the report of the Secretary-General, Timor-Leste's relationship with Indonesia continues to improve. That improvement has been characterized by an exchange of visits at the highest level, by President Gusmão and President Yudhoyono, as well as by frequent consultations carried out by Foreign Ministers Ramos-Horta and Hassan Wirajuda. The bilateral relationship has also been strengthened by cooperation between the two sides in many other areas.

In that connection, I would like to commend Timor-Leste and Indonesia for making significant progress during the last few weeks towards resolving technical issues concerning the demarcation of the common border. I am confident that a final agreement can be achieved on the remaining 1 per cent. in order to soon conclude the task of delineating the entire border.

Timor-Leste's relationship with Australia has also been strengthened. On 12 January, the Foreign Ministers of the two countries signed an agreement to share revenues derived from the Greater Sunrise oil and natural gas field. Timor-Leste will receive 50 per cent of the upstream revenues, which will no doubt facilitate the economic and social development of the country.

Timor-Leste has made major progress in peacebuilding, but peace remains fragile. Presidential and parliamentary elections will take place next year, for the first time since the restoration of independence. Remembering what happened in 1975, Timorese leaders have reminded us that those elections will constitute a critical test for the nascent democratic State of Timor-Leste. An electoral needs assessment mission fielded in November 2005 concluded that, for the elections to be free and fair, Timor-Leste needs the assistance of the international community and a strong political presence. Following the recommendations of the mission, UNOTIL is already in the process of recruiting three technical advisers to assist in drafting electoral laws, planning electoral administrative processes and establishing a voter database. I invite the members of the Council to refer to the letter that Prime Minister Mari Alkatiri just sent to the Secretary-General (S/2006/59, annex), requesting the establishment of a special political office. I recommend that the Security Council carefully examine the Government's request, taking into account the newly emerging political and security situation.

Finally, I wish to thank President Xanana Gusmão and other leaders of Timor-Leste for having maintained close dialogue and consultations with us in building peace and the capacities of Timorese institutions, as mandated by the Security Council. For the last six years the United Nations has been able to carry out successful peacekeeping and peacebuilding operations in Timor-Leste thanks in great part to the determination of the leaders and people of Timor-Leste to benefit wisely from the assistance that United Nations missions can provide.

The President: I now invite His Excellency Mr. Kay Rala Xanana Gusmão, President of Timor-Leste, to make a statement.

President Gusmão: I wish to thank you, Mr. President, for inviting me to speak to this body today. I ask the indulgence of the members of the Security Council in offering special thanks. On my own behalf and on behalf of the people of Timor-Leste, I wish to convey to you, Mr. President, and to the people of Tanzania, our profound gratitude for the strong support you have given us, beginning in December of 1975, when Mr. José Ramos-Horta, our Minister for Foreign Affairs, arrived here for the first time to seek the assistance of the Security Council. He was literally met at the front door by Mr. Salim Ahmed

Salim, who looked after him. I express our deepest gratitude to the late President of Tanzania, Mr. Julius Nyerere, Father of the Nation. In the 1980s, when I was still in the mountains of Timor-Leste leading the FALINTIL guerrilla army, I was informed that President Nyerere had raised the issue of Timor-Leste's self-determination during a visit to Indonesia. Words cannot do justice to the feelings we experienced or to the way our spirits soared when we received the news of that.

In the interest of time, my presentation will be an abridged version of the statement that has been circulated in the Chamber. I will address three issues: my thoughts on the report of our Commission for Reception, Truth and Reconciliation, current developments and challenges, and our ongoing needs and expectations vis-à-vis the international community.

On 31 October 2005, Mr. Aniceto Guterres, Chairman of the Commission, handed to me the Commission's final report, pursuant to regulation No. 2001/10 of the United Nations Transitional Administration in East Timor (UNTAET) as amended by our National Parliament. Abiding by the law and in an effort to expedite the process, I handed the report over to the National Parliament on 28 November, and thereafter to the Government. On 20 January 2006, the Secretary-General was gracious enough to receive me. On that occasion, I presented him with a copy of the Commission's report.

When I addressed our National Parliament on 28 November, I said that, upon learning about the contents of the report, I concluded that both Minister Ramos-Horta and I were right in saying that true justice for the East Timorese was the recognition by the international community of the right of the people of Timor-Leste to self-determination and independence. That understanding is crucial to our analysis and conclusions. Therefore, if we consider that the previous 24 years were years of injustice — injustice in which part of the international community was implicated — then the collective actions taken by the United Nations in 1999 in freeing our people, and in assisting us since, are acts of redemption and of superior justice.

The following excerpt can be read in the report handed to me on 31 October 2005:

> "The Commission is of the opinion that it is not possible to achieve long-lasting reconciliation without establishing the truth, obtaining justice and providing compensation to the victims."

Before the Commission for Reception, Truth and Reconciliation was established, the National Council of Timorese Resistance, with the support of the International Organization for Migration, the Office of the United Nations High Commissioner for Refugees and the United Nations Transitional Administration in East Timor, was engaged in meetings at the border involving victims and perpetrators in an effort to encourage the Timorese who had fled to West Timor to return home. Those meetings were also aimed at fostering genuine reconciliation among the people, and genuine reconciliation means the way that people accept each other without sentiments of revenge and hatred.

We need not evaluate the report of the Commission for Reception, Truth and Reconciliation solely from the incomplete perspective of exposing the truth regarding violations of human rights. I acknowledge that the Commission's mandate was the pivotal element leading to all other activities. We all acknowledge the merit that the Commission has earned in the search for truth. Further, we all acknowledge that truth is seminal to the quest for justice for the victims.

Reconciliation, however, has been a long-standing process for the people of Timor-Leste. It is as a result of our efforts at reconciliation that there has not been a single revenge killing of suspected elements implicated in the occupation of our country. If the elections of August 2001 for the Constituent Assembly represented a great moment of civic behaviour on the part of the citizens of Timor-Leste, and if the elections of April 2002 for the President of the Republic were held in a commendable climate free from violence, they should be seen as a reflection of the profound consciousness of our people of the need never, ever again to allow any space in Timor-Leste for political violence. That is why we are living in an environment of political stability and social harmony.

The investigations of the Commission for Reception, Truth and Reconciliation can be grouped into two main areas: the international dimension, pertaining to the way the international community positioned itself in relation to the question of Timor-Leste, and the internal dimension, which dealt with acts committed against the Timorese.

Regarding responsibility for the acts committed by us Timorese since the 1980s, we acknowledge that such violations of human rights took place. We knew that the report of the Commission would suffer from a lack of impartiality and objectivity unless the human rights abuses committed by Timorese against Timorese were addressed as well.

Some of the report's recommendations with respect to justice are very ambitious. What, after all, is the objective of justice? It is promoted mostly as retribution — punishing those who act outside the rule of law. Retributive justice is found in the legal systems of all countries, yet we know that justice has a deterrent component and that most countries incorporate that aspect of justice into their legal systems.

The report of the Commission for Reception, Truth and Reconciliation states that "the absence of justice ... is a fundamental obstacle in the process of building a democratic society". My reply to that would be: "Not necessarily". Justice cannot be abstracted, and I would say that the building of a democratic society is very much dependent upon the context in which we apply that concept. Our own process in building tolerance and reconciliation as the bases for a democratic participation of the people is applying restorative justice.

What also concern me are the report's recommendations pertaining to reparations for the victims and further prosecutions. The report asks the permanent members of the Security Council, the Governments that sold weapons to Indonesia and supported Indonesia's policy, as well as the Portuguese and Indonesian Governments, to pay reparations to the victims.

In regard to the responsibilities of those who, during the 24 years from 1975 to 1999, by indifference and inaction or by direct participation enabled an unjust situation to persist for so long, I can only express my deepest gratitude for what the countries mentioned in the Commission's report and many others have done to free us and to rebuild our country. There are not enough words to express the gratitude of our people.

The prosecution's recommendation suggests, on the one hand, the establishment of an international tribunal and, on the other, that the contracts of the international judges who served on the Special Panels for Serious Crimes be renewed and that the resources allocated to the investigation and trial of all crimes committed between 1975 and 1999 be enhanced. That recommendation does not take into account the situation of political anarchy and social chaos that could easily erupt if we should decide to bring people to court for every crime committed by ourselves since 1975.

Finally, the report of the Commission for Reception, Truth and Reconciliation also deals with the Commission for Truth and Friendship, considered as the opposite of punitive justice. While there have been many national truth commissions, there has never been one jointly initiated by two countries, and we regret that the United Nations has so far not shown much interest in or support for that novel initiative. The establishment of the Commission for Truth and Friendship was an undertaking of the State. The State of Timor-Leste works on the principle that truth-telling is a way of achieving justice, which, under the current circumstances, is the best approach to the democratic development of both countries — Timor-Leste and Indonesia. In our perception, it is not easy for anyone to accept the truth. The acceptance of the truth is therefore the acknowledgement of responsibility.

On the way here, I came across an article by Nobel Peace laureate Archbishop Desmond Tutu on the very issue on which I am reflecting. For members' benefit, I have attached to my speech a copy of that timely article, entitled "Justice is Reconciliation", but allow me to read out some salient parts that speak to our situation as much as any other can.

> "In our case neither the apartheid Government nor the liberation movement could defeat each other. We had a military deadlock. Moreover, in the case of Nuremberg, the prosecutors and judges could pack up their bags after the trial and leave Germany for their homes. We had to make our homes in this, our common motherland, and learn to live with one another ... Such trials probably would have gone on nearly forever, leaving gaping wounds open."

Whilst we do not share a common motherland with Indonesia, we do share a border, we do share history, we do have citizens of Timor-Leste living, working and studying in Indonesia, we are both nascent democracies struggling to put behind us years of conflict, and our fates are in many ways conjoined.

Timor-Leste is not a conquering nation and Indonesia is not a conquered one.

I have had to ask myself if it would be in our national interest — which must include social harmony — to begin a process that, I am told by some friends, will bring justice, and have this process go on for years, possibly setting back the democratic consolidation that is being undertaken in Timor-Leste and in Indonesia, respectively. The answer that I came to, after wide consultation with the people, was that it would not be.

Archbishop Tutu spoke at length on this issue, and what is most telling is that he mentioned both the necessity and desirability of adopting a restorative justice model. He said:

> "So it was a mercy that our country chose this way to go the way of the Truth and Reconciliation Commission — granting amnesty in exchange for the truth. This was ultimately based on the principles of restorative justice and *ubuntu*.... It sets high store by healing.... Justice as retribution often ignores the victim, and the system is usually impersonal and cold. Restorative justice is hopeful."

We, too, are hopeful, and it is important that we, too, follow the path of restorative justice, in step with our needs.

Finally, what should be the true lesson learned from this report?

There are many valuable recommendations that deserve in-depth study by Timorese society and particularly by the political forces of our nation. The commitment that we should all undertake is not to allow, under any circumstances, a recurrence of political violence in our beloved homeland.

Allow me now to turn to current developments in Timor-Leste and to speak of the achievements and challenges.

As we are nearing the end of the mandate of the United Nations Office in Timor-Leste (UNOTIL), allow me to express in this forum the collective and sincere gratitude of the people of Timor-Leste to the Council for the critical role that this body has played in the recent history of our country. Though it might sometimes seem to us that 1999's dark days of senseless violence and destruction are a thing of the past, let us not forget that it all happened only a few years ago.

Yet in this short time span much has happened and much has changed for the better — so much so that our people, despite the fact that many are still trying to come to terms with their personal suffering, are happy that we are at peace with ourselves and with our neighbours and that we are living in a free and democratic country. We would not have achieved this without the Council's steady and generous assistance.

In the short period of time that has elapsed since the transfer of sovereignty in May 2002, our new nation, building on the impressive through basic and precarious institutions left by UNTAET, has made some strong progress.

The Secretary-General's report provides a good overview of the achievements made and the challenges my country still faces. To add to the Secretary-General's positive assessment of the situation in the country, Council members might wish to read another recent, positive report — this one by the World Bank.

As head of State, I am fully aware of the criticisms levelled at our security forces, namely the national police. One need only listen directly to those on the receiving end of the abuses or read our media reports to conclude that there have been too many unacceptable breaches of our own laws and of international obligations.

However, I believe also that, compared with the situation that prevailed only two years ago, there has been a marked improvement in the overall conduct of our police force. We are very grateful to those countries that have made such an important contribution to the development of our police force.

Unfortunately, our shortcomings and failings are not confined to one area alone. We are conscious of our shortcomings in the justice sector — as the Special Representative of the Secretary-General, Mr. Hasegawa, stated earlier — which are the result of an extreme shortage of trained and experienced judges, prosecutors, public defenders and court clerks. Although the situation has improved somewhat with the recruitment of a number of competent foreign jurists, the reality is that, for a long time to come, Timor-Leste will continue to require international assistance in that sector if we are to offer our people an

independent and professional judiciary that is fundamental to our democratic process.

Our relations with our two closest neighbours continue to develop on a sound basis. The high point of our relationship with Indonesia came last year, when President Susilo Bambang Yudhoyono visited our country. Despite a series of incidents involving repeated incursions into our territory, in the Oecussi district in September and October 2005, by civilian elements that destroyed private property and a police post, the overall situation has been very calm.

On 6 January, an incident occurred when three indicted persons based in West Timor entered our territory. In the ensuing scuffle, the three were not dead. We must await the results of the investigation, to be undertaken by a joint commission of investigation agreed by the two sides, before we can be certain of the facts surrounding the incident. Nevertheless, regardless of the facts that emerge, any loss of life is regrettable.

With our other neighbour, Australia, we have taken another significant step. On 12 January the two foreign ministers signed an agreement that provides for a 50-50 sharing of oil and gas resources in the Greater Sunrise area, one of the richest in the entire Asia-Pacific region, and a 50-year moratorium on our maritime boundary, without prejudice to our sovereign claims.

In the course of this year, we will see heightened political activities in Timor-Leste as we approach the 2007 general elections for the national parliament and the presidency. As head of State, it is my duty, under the Constitution, to set the dates for the elections.

In that regard, I have found very useful the report of the United Nations Electoral Assistance Division of the Department of Political Affairs assessment mission that visited Timor-Leste in December 2005 to evaluate our needs in regard to the electoral process.

Against that backdrop, it is my duty to appeal to the international community to continue to assist us in meeting some of our most critical needs. Prime Minister Mari Alkatiri has written to the Secretary-General conveying our needs and our request for assistance. That letter was also sent to the President of the Security Council.

While we agree that UNOTIL should come to an end, and with that I must say that we should close the United Nations presence in our country on a high note, I would propose that the Security Council consider the establishment of a special political office in Timor-Leste with the following components, as outlined in the Prime Minister's request.

First, electoral assistance is needed to provide the Government with technical and logistical support.

Secondly, civilian advisers are required. As members are aware, while we have made continuing progress during UNOTIL's mandate, there are critical areas that remain in need of secure and steady assistance, specifically in the justice and finance sectors.

Thirdly, Timor-Leste continues to require support in police training. Although we have had an excellent bilateral assistance programme funded by Australia and the United Kingdom, we believe it is important to maintain a degree of United Nations involvement in police training.

And finally, in view of the forthcoming elections in 2007 and the need to ensure enhanced dialogue and cooperation between East Timorese and Indonesian security elements in order to prevent tension and conflict along the border, we believe that the deployment of some 15 to 20 military liaison personnel as part of the special political office would be of crucial importance.

In the meantime, we are planning a celebratory event on 19 and 20 May 2006 to say farewell to the United Nations and our friends and to thank them as the current United Nations mission comes to a close after nearly six years. We hope that Council members will honour us with their presence on that occasion.

Last but not least, as this might be the final time I address this body in my current capacity before the formal closure of the United Nations peacekeeping and peacebuilding missions in my country, allow me to thank each and every member of the United Nations family for playing a role in securing peace, security and progress in my country. I wish to thank all countries that have contributed troops to the International Force, East Timor, and in particular Australia for its decisive leadership in 1999, which made possible the landing of peace enforcers in our country.

I wish to pay tribute to our dear friend the late Sergio Vieira de Mello, a unique human being and one of the best-ever servants of the United Nations and its

highest ideals. I wish also to thank his immediate predecessor, Ian Martin, head of the United Nations Mission in East Timor, which paved the way for what followed. I wish further to pay tribute to Kamalesh Sharma, head of the United Nations Mission of Support in East Timor, and to our friend Sukehiro Hasegawa, head of UNOTIL, who has been in Timor-Leste since 2002, displaying admirable energy and dedication in his mission. To him I say, "Arigato, Sukehiro-san".

Through them I pay tribute to all their immediate staff and to the peacekeeping forces, police and civilian personnel and United Nations Volunteers under their command, from so many nationalities. We owe them all a great deal.

We might not have too many virtues, but we possess one quality that makes up for any lack, and that is our sense of gratitude to anyone who has done good to us. We have learned a great deal from them all, through both good and bad, and I hope they have learned something from us: some good and some bad, but all part of life's wonderful learning experience.

The President: I thank the President of the Democratic Republic of Timor-Leste for the kind words he spoke about my country, and in particular about the late President Nyerere, the founder of the Tanzanian nation, and about my compatriot Ambassador Salim Ahmed Salim, who was President of the Security Council exactly 30 years ago, in January 1976, a month after he received East Timor's Foreign Minister in December 1975.

Mr. Tachie-Menson (Ghana): I wish first of all to welcome the President of Timor-Leste, His Excellency Mr. Xanana Gusmão. We are very grateful to him for his address to the Council. Our thanks go also to the Special Representative of the Secretary-General for his briefing.

My delegation is impressed by what has been achieved with regard to national reconstruction in Timor-Leste since the election of the President in 2002. Timor-Leste was a country that lost an estimated 100,000 to 180,000 people in the brutal internal conflict that took place between 1975 and 1999. From the ashes of that conflict has arisen a new State with an accountable Government, which, in partnership with the international community, is gradually building State institutions from the local to the national levels. Criminal law and civil procedures are being strengthened through the enactment of new legislation. Various capacity-building programmes are in place to revitalize the bureaucracy and the institutions responsible for governance and human rights. The police services are also being rebuilt. Those institutional reforms and renewal programmes need to be continued.

The present situation of calm and stability is a manifestation of the effectiveness of the existing partnership. What is happening in Timor-Leste is a shining example of what can be achieved through post-conflict peacebuilding. In that regard, we wish to recommend an increase in assistance for the legislative and judicial sectors in view of the critical role that institutions in those spheres have to play in the entrenchment and sustainability of good governance and the rule of law. Similarly, we align ourselves with the recommendation made by the Secretary-General in his report (S/2006/24) regarding the request for support from the international community for the general elections to be held in 2007, which will be an important milestone in the consolidation of the system of democratic governance.

That Timor-Leste has taken its proper place and role in the international community is a tribute not only to the resilience and determination of the Government and the people of Timor-Leste but also to the efforts of the United Nations Office in Timor-Leste (UNOTIL) and to the international donor community, including the financial institutions. On that point, my delegation is of the opinion that an international presence and international support are necessary to sustain the process of nation-building. We therefore support the request of the Government of Timor-Leste that the United Nations consider establishing a political office to continue the work of UNOTIL after the expiration of its mandate.

While noting the achievements that have been made so far, we cannot overlook a very sensitive issue confronting not only the Government and the people of Timor-Leste but also the international community at large: the report of the Commission for Reception, Truth and Reconciliation. My delegation condemns violence and gross violations of human rights. We feel, however, that, in pursuing justice, the Government of Timor-Leste and the Government of Indonesia should be encouraged to engage in constructive dialogue to find a way forward on this issue.

Mr. Faaborg-Andersen (Denmark): I should like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for his briefing and President Gusmão for his important statement and for his presence here today.

Denmark associates itself fully with the statement to be made shortly by the representative of Austria on behalf of the European Union.

The situation in Timor-Leste has improved much in recent years. The security situation remains generally calm and stable. Local elections have recently been held in a peaceful manner and with a high voter turnout. The capacity of the Timorese Government institutions and security forces has improved. In addition, the stage is being set for the smooth transfer from the United Nations Mission in Timor-Leste (UNOTIL) to a sustainable development framework. The next major step will be the upcoming parliamentary and presidential elections.

However, the situation in Timor-Leste, a nascent democracy, remains fragile, and the country continues to rely on international support. As a result, we support Timor-Leste's request for a continued political United Nations presence — although the presence should be small, so as to leave the Timorese in the driver's seat.

We welcome the presentation by President Gusmão of the report of the Commission for Reception, Truth and Reconciliation to the Secretary-General last Friday. It is our hope that the report will soon be officially published so as to help the Timorese people to gain clarity about their past. The scars of the past will not completely heal until the truth has been revealed and all of those responsible for past atrocities have been brought to justice. Impunity must not be an option. In this regard, Denmark is concerned about the provisions on amnesty contained in the statute of the bilateral Commission on Truth and Friendship. In addition, the safety and security of victims and witnesses who have testified in the past must be protected at all times.

We look forward to the Secretary-General's report on the issue of justice and reconciliation, taking into account the report of the Commission of Experts, as well as the views expressed by Indonesia and Timor-Leste. The report should also benefit from the report of the Commission for Reception, Truth and Reconciliation and could provide useful guidance to the Council for the post-UNOTIL period.

Finally, we welcome the signing on 12 January of an oil and gas deal between Australia and Timor-Leste, which will provide a financial boost to Timor-Leste's development efforts. In view of their traumatic past, the Timorese people certainly deserve the fruits of development and democracy, and we wish President Gusmão and the Timorese people every success in continuing to move the country forward.

Mr. Mayoral (Argentina) (*spoke in Spanish*): I should like, first of all, to welcome the President of Timor-Leste, Mr. Xanana Gusmão, and the Foreign Minister of that country, our friend Mr. José Ramos-Horta, to the Council. We would like to thank President Gusmão for his important briefing, of which we have taken careful note. We assure him that Argentina will take into account the position of his Government during the forthcoming negotiations on matters relating to his country and in the Security Council, in particular with regard to the establishment of a United Nations political office in Timor-Leste.

I would also like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for his introduction of the most recent report of the Secretary-General on the question. We would like to commend Mr. Hasegawa and the entire team of the United Nations Mission in Timor-Leste (UNOTIL) for their work. We welcome the fact that UNOTIL has continued to help to strengthen the Timorese institutions and to transfer expertise with a view to the development of endogenous capacity in the areas of public administration, justice, human rights, policing and other matters. We believe that those advances will help to ensure the smooth transition to a framework of assistance for sustainable development in Timor-Leste.

In spite of all of the progress that has been made, we should note that Timor-Leste still requires assistance. It remains a poor country, and there are still a number of areas with regard to which it will continue to require international assistance beyond May 2006. Although certain international agencies and bilateral donors have been identified with a view to providing support in some of those areas, as the Secretary-General notes in his report (S/2006/24), some key aspects have not been covered. My country believes that we must keep all options open until May, since if we cannot identify bilateral or multilateral donors to assist Timor-Leste, the United Nations will have to do so directly.

The question of international assistance for parliamentary and presidential elections in 2007 is also very important in that connection. In this regard, we take note of the letter from Prime Minister Alkatiri concerning the establishment of a special political office. In principle, by delegation supports that. We hope that in his next report the Secretary-General will present specific proposals for the mandate and composition of such an office.

We welcome the fact that relations between Timor-Leste and Indonesia have continued to improve and that the parties have made progress in the demarcation of the land border. We hope that progress will continue in that area and that a border management agreement will be concluded as soon as possible.

We also welcome the signing of an agreement between Timor-Leste and Australia concerning the sharing of resources from the Timor Sea. We hope that it will be implemented for the benefit of the Timorese people.

Lastly, we would like to emphasize that, as is well known, we attach great importance to human rights issues. President Gusmão has transmitted to the Secretary-General the report of the Commission for Reception, Truth and Reconciliation, which concerns abuses committed between 1974 and 1999. We would like to know what sort of action is envisaged in response to the conclusions and recommendations of the report and whether there are areas in which the United Nations could assist. We also take note of the activities undertaken by the bilateral Commission for Truth and Friendship established by Timor-Leste and Indonesia, and we hope that the utmost efforts will be made in that regard to establish the truth about human rights violations. In that context, we look forward to receiving a report from the Secretary-General soon so that we can consider practical ways and means of administering justice that properly take into account the rights of the victims of human rights violations and of their family members.

Mr. Dolgov (Russian Federation) (*spoke in Russian*): I should like, first of all, to express condolences to the people and the Government of Guatemala in the light of the report, which we received this morning, about the deaths of Guatemalan peacekeepers in the Democratic Republic of the Congo. That tragic event reaffirms that we need to help countries to resolve conflict in that region and elsewhere. We must pay constant attention to the safety and security of all United Nations peacekeepers.

The Russian delegation welcomes the participation in this Council meeting of the President and of the Foreign Minister of Timor-Leste. We were pleased to hear the statement made by President Xanana Gusmão. We would also like to thank the Special Representative of the Secretary-General, Mr. Hasegawa, for introducing the progress report of the Secretary-General on the United Nations Office in Timor-Leste (UNOTIL). We thank him for his informative briefing on developments in the country.

Russia welcomes the steady progress made in building Timor-Leste's statehood. We are pleased at the successful holding of local elections, the strengthening of the country's legislative framework and the enhancement of the professional skills of members of the law enforcement services. We welcome the attention that Timor-Leste is devoting to resolving the problems that still exist in that area. However, we realize that the capacity of the State's organs is not yet strong enough and that the country remains somewhat dependent in that regard. Timor-Leste still requires effective international assistance to provide security, stability and sustainable development; indeed, that point was made today by Mr. Gusmão.

We view as positive the development of cooperation between Timor-Leste and Indonesia and Australia, and we welcome the progress made in resolving the issue of delineating the border between Timor-Leste and Indonesia. We take note of the great importance of the bilateral Commission for Truth and Friendship. We hope that the Commission will successfully carry out its duties and that it will help to further strengthen the relationship between Indonesia and Timor-Leste, including in the area of resolving issues related to human rights violations in Timor-Leste.

We believe that the activities of UNOTIL are important, and we commend its staff for their efforts. We are sure that the Office's mandate will be fully carried out by May 2006. However, given the need to ensure the successful organization of presidential and parliamentary elections in 2007, the Russian delegation is prepared to engage in a constructive Security Council discussion of possible ways to provide the Timorese with appropriate United Nations support

following the completion of UNOTIL's mandate, on 20 May this year.

We have taken careful note of the wishes expressed here by the President of Timor-Leste.

Mr. Al-Nasser (Qatar) (spoke in Arabic): I would like to take this opportunity to welcome His Excellency Mr. Kay Rala Xanana Gusmão, President of the Democratic Republic of Timor-Leste, to this Security Council meeting and to thank Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of Mission of the United Nations Office in Timor-Leste (UNOTIL), for his important briefing. I thank the Secretary-General for his comprehensive progress report on the United Nations Office in Timor-Leste for the period 10 August 2005 to 15 January 2006 (S/2006/24).

I congratulate the people and the Government of Timor-Leste on the progress they have made in achieving peace and stability and on their dedicated efforts to strengthen democracy and build Government institutions in order to bring about justice and promote respect for human rights. In addition, I congratulate the State of Timor-Leste and its neighbour Indonesia on their serious efforts to normalize their relations — a process being carried out with distinction through a mutual demonstration of good faith. We salute the two countries' courageous decision to establish the bilateral Commission for Truth and Friendship and to sign the Provisional Agreement on the Borderline between Timor-Leste and Indonesia. A ceremony held at the border village of Motaʻain marked the placement of the first marker along their common land border. We hope that efforts will continue to demarcate the 96 per cent of the land border agreed to in the Provisional Agreement on the Borderline, signed by the Foreign Ministers of the two countries in April 2005.

Because of that development, the general situation has remained calm, except for a few isolated instances of a kind that could normally occur along any stretch of common land border between States. We note with appreciation the quick response by the Timorese national police following incursions by members of former militias, which led to a number of arrests. That response was reassuring to the Timorese living near border areas.

We pay tribute to Timor-Leste and commend the progress it has made to date. In addition, we cannot fail to commend the Security Council for the resolutions it has adopted to support the State in its efforts. Among those resolutions, one stands out: resolution 1599 (2005) of 28 April 2005, which established the United Nations political mission — UNOTIL — with a clear and enabling mandate for one year, ending on 20 May 2006. Here, we recall that it is essential that Timor-Leste have a permanent, high-level United Nations presence in the form of an office that will plan for the smooth transition to a sustainable framework for development assistance. Through such a framework, the United Nations will assist the country in its development efforts, in establishing general policies and in coordinating assistance from the donor community. Special attention will be devoted to building the State's institutional capacity and to promoting interaction among the State, civil society organizations and the private sector in the fields of education, health and human resources development.

We note with satisfaction that local elections were held in a peaceful and orderly manner and that several political parties participated in them by fielding candidates, thus enabling democracy to take root in the country. We also note with interest that presidential and parliamentary elections will be held in 2007 and that Timor-Leste is looking to the United Nations and the international community for effective assistance in that area.

The Timorese are resolved to build a solid democracy and truly believe in good governance, the rule of law, transparency and accountability. We hope that the United Nations and its system of organizations, including the specialized agencies, as well as the Bretton Woods institutions and the international community, will be able to support Timor-Leste's efforts and to provide the country with the necessary financial, human and logistical assistance. Given that presidential and parliamentary elections will be held for the first time since Timor-Leste assumed independence, and that the United Nations Mission of Support in East Timor was downsized to become a United Nations special political mission, we hope that every effort will be made to organize the elections in a competent, fair and efficient manner.

In conclusion, we commend Timor-Leste and Indonesia for the wisdom that they both demonstrated when they agreed to establish the Commission for Reception, Truth and Reconciliation, which worked uninterruptedly for more than five years. The Commission submitted its report to President Gusmão,

who in turn submitted it to the National Parliament on 28 November 2005 and to Prime Minister Alkatiri on 30 November. The State of Qatar welcomes the fact that the report was officially submitted to Timor-Leste's National Parliament and subsequently to the Secretary-General. We agree with the Secretary-General that it is an important milestone in the search for truth and reconciliation. If national reconciliation is to be achieved, the truth must be brought out.

Mr. Burian (Slovakia): First of all, I would like to thank Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste, for his comprehensive briefing. I join other Council members in welcoming His Excellency Mr. Xanana Gusmão, President of the Democratic Republic of Timor-Leste, to our meeting.

Slovakia highly values President Gusmão's personal contribution to the process of rebuilding and reconciliation and of healing the wounds of Timor-Leste after his nation suffered some of the worst atrocities of modern times. I can assure him of our continued commitment and our support for the successful transition of Timor-Leste.

We share the evaluation of the situation and the observations contained in the progress report of the Secretary-General on the United Nations Office in Timor-Leste (UNOTIL) (S/2006/24). In that connection, we are pleased to note that Timor-Leste is making steady and tangible achievements in reconstruction and State-building.

Despite remarkable progress in the establishment of democratic institutions, there are still formidable challenges and tasks that need to be addressed in order to assist the country in its recovery from conflict and in developing its capacities to achieve sustainable peace and development. During the past three years, the Government of Timor-Leste has proved that it is capable of assuming ownership and responsibility for resolving problems of transition. The lack of human and financial resources, as well as insufficient infrastructure and administrative capacities at this stage, however, require the continued engagement and assistance of the international community. In that context, we commend UNOTIL for its activities in supporting the development of critical State institutions in Timor-Leste, including the police and the judiciary.

There is no doubt that the key milestone on the road of transition will be the presidential and parliamentary elections scheduled for May 2007. We believe that the establishment of a solid legal framework governing the elections will play a crucial role in providing a level playing field for all and in ensuring a transparent and credible outcome. We support the Secretary-General's recommendation that an international political presence be retained in Timor-Leste until the end of the electoral process in order to better provide all the guidelines and support necessary for the preparation and successful outcome of the elections. In that connection, we think that the proposal made by the President of Timor-Leste, explained in detail in the letter from the Prime Minister of Timor-Leste addressed to the Secretary-General (S/2006/191), to create a smaller special United Nations political office after the mandate of UNOTIL expires in May 2006, deserves further serious consideration.

Recent incidents on the border with Indonesia underline the necessity to address the issues of proper training for border police and of finalizing the process of border demarcation. We urge both Timor-Leste and Indonesia to continue working out measures for strengthening confidence in the border area. In that connection, we welcome the development of contacts between the Border Patrol Unit in Timor-Leste and its Indonesian counterpart.

We welcome the efforts of the Governments of Timor-Leste and Indonesia to develop good-neighbourly relations between their countries and to build stability and confidence through a process of reconciliation. We commend the establishment of the bilateral Commission for Truth and Friendship, which is trying to achieve reconciliation and to define ways to overcome the burden of the past.

At the same time, reconciliation must not in any way mean that those who committed the most serious crimes of rape and murder escape unpunished. In our view, by overlooking the wrongs of the past in this area, the international community would set a very dangerous precedent. It would also send the wrong signal to those who are committing or planning atrocities in other parts of the world. We must break the cycle of impunity and bring the perpetrators to justice. The former United Nations Serious Crimes Unit and the Commission for Reception, Truth and Reconciliation documented thousands of instances of torture, rape and execution, which must be fully investigated and appropriately prosecuted.

In conclusion, I would like to express our appreciation for the excellent work done by the Special Representative of the Secretary-General, Mr. Hasegawa, and the UNOTIL personnel. We highly commend them for their commitment and for the progress made in implementing the key tasks mandated by the Security Council. We are convinced that the time is approaching when the issue of Timor-Leste will graduate from the agenda of the Security Council and will instead be transferred, as a successful case of a resolved conflict, to the Peacebuilding Commission and other United Nations institutions to further and more appropriately assist the Government of Timor-Leste in completing the process of peacebuilding and transition.

Mr. De La Sablière (France) (*spoke in French*): I, too, would first wish to welcome the President of Timor-Leste, without whom none of the spectacular progress we are witnessing today in Timor-Leste would have been possible.

The Permanent Representative of Austria will soon be making a statement on behalf of the presidency of the European Union, and I fully associate myself with that statement. I would like to make a few brief comments.

First, I am delighted at the impressive progress made by Timor-Leste four years after it gained independence. State institutions have been created and continue to gain strength. Democracy is taking root. Observance of human rights is increasing. The country is developing its cooperation and enhancing its international outreach, particularly in Asia and in the South Pacific. That success belongs first and foremost to the Timorese. It is also the outcome of the commitment of the international community and, in particular, of the United Nations. Here, I should like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa.

Secondly, I should also like to note with satisfaction the strengthening ties between Timor-Leste and its neighbours, particularly Indonesia. The settlement of border issues seems to be on track, despite some incidents, which would be of concern if they recur. This situation, in any event, requires continued vigilance.

Thirdly, stabilization is today well under way. But we believe that major efforts are still needed to make this stabilization durable in the run-up to the general elections scheduled for 2007. As the Secretary-General has emphasized, major bilateral and multilateral efforts will still be necessary following the completion of the mandate of the United Nations Office in Timor-Leste (UNOTIL), which expires in May 2006. We encourage the handover of some UNOTIL activities to competent United Nations agencies or to other organizations that are present in the field, as well as to bilateral donors.

We have taken note of the request of the Timorese authorities that a United Nations political structure be maintained following the end of UNOTIL's mandate. It seems to us that, given the newness of Timorese institutions and the persistence of fragility in some elements of the stabilization process, that request is perfectly legitimate. The structure, in any event, needs to be appropriate and functional. We would be grateful to the Secretary-General if he could make some proposals about this in his next report.

We would also like to stress the importance of national reconciliation for the stabilization of Timor-Leste and its importance as an example for the entire region. This reconciliation should not be based on impunity, since justice alone can make it possible to establish lasting peace. We note here that President Gusmão has submitted to the Secretary-General the report of the Commission for Reception, Truth and Reconciliation on human rights violations in Timor-Leste between 1974 and 1999.

We also note that the Commission of Experts appointed by the Secretary-General has identified deficiencies in the manner that prosecutions have been conducted to date against those who committed serious violations of human rights in 1999. We therefore look forward to the Secretary-General's recommendations on that matter, especially his recommendations concerning the bilateral Commission for Truth and Friendship, on the basis of the report of the Commission of Experts and the views expressed by Indonesia and Timor-Leste.

Mr. Vassilakis (Greece): Like others, I too would like to welcome the presence among us of the President of Timor-Leste. I would also like to thank him for his thoughtful statement, which I think should make others think as well. I would also like to thank Mr. Sukehiro Hasegawa for his introduction of the Secretary-General's report (S/2006/24) and for his briefing.

Greece fully aligns itself with the statement to be delivered shortly by the Permanent Representative of

Austria on behalf of the European Union. I shall therefore limit myself to some additional comments.

We are all encouraged by the significant positive developments described in the report of the Secretary-General. It seems that sufficient progress has been made towards further developing the capacity of Timor-Leste's democratic State institutions in the justice, human rights and national police sectors. The report of the Commission for Reception, Truth and Reconciliation, which President Gusmão presented to the Secretary-General last Friday, is just one such example of that progress.

The successful holding and completion of local elections, the preparations for the presidential and parliamentary elections to be held in 2007 and the adoption of key legislation demonstrate that the process of creating a functioning democracy is on the right track, in a country that gained its independence just a few years ago.

In addition, we very much appreciate the improving relations between Timor-Leste and Indonesia, which led to the establishment of the bilateral Commission for Truth and Friendship, as well as the progress made in the negotiations to finalize the delineation of the remaining 4 per cent of the land border between the two countries. That is a very good example that should also be taken into consideration in other conflict areas. The establishment and work of the Commission for Truth and Friendship indicate the resolve of both countries to achieve accountability for crimes and human rights violations committed in 1999. We recognize the significance of the entire endeavour and hope to see tangible results in the fight against impunity for those serious crimes, something that is of the utmost importance for the Timorese people.

We hope that the report of the Secretary-General on justice and reconciliation for Timor-Leste, including a practical and feasible approach as requested by the Security Council, will be an important additional contribution to that end. It is to be hoped that the entire process will allow the two peoples both to face the crimes of the past and to promote reconciliation, which will pave the way to a better future for them and for the entire area.

Greece welcomes the signing, a few days ago, of the agreement with Australia on equally sharing revenues from the natural resources of the Timor Sea. We consider that the agreement will greatly contribute to much-needed sustainable economic development and that it will enable Timor-Leste to attain the Millennium Development Goals. There are of course still major challenges to be addressed, especially as regards the difficult economic situation in the country. In that respect, the work of various United Nations specialized agencies — such as the World Bank, the United Nations Development Programme and the International Monetary Fund — must also be commended.

The assistance of the United Nations Office in Timor-Leste (UNOTIL) to the Government and people of Timor-Leste has been invaluable. UNOTIL advisers have demonstrated ability, dedication and effectiveness in transferring knowledge and skills, coordinating various activities and settling border incidents by facilitating communication and contacts between Timorese and Indonesian border-patrol forces.

The mandate of UNOTIL will end on 20 May 2006. We are pleased to note that the Secretary-General's report refers to the preparations under way for the successful transfer of certain tasks to other international development actors. The Secretary-General has also identified a number of serious remaining challenges in the areas of justice, finance and border control. To those one could add the preparations for and holding of the 2007 presidential and parliamentary elections.

In that context, the recent request made of the Secretary-General by Timor-Leste's Prime Minister to establish a special United Nations political office deserves our particular attention. We believe that providing further United Nations assistance through that well-coordinated format is suitable in the current circumstances. We ought to consolidate the achievements in Timor-Leste, and not compromise their success, at this crucial stage. We will favourably examine the proposals to be submitted by the Secretary-General.

I also wish to join previous speakers who have called upon the United Nations and the international community to continue their presence and to assist Timor-Leste in achieving full self-reliance in the near future. Greece will continue to actively participate in all relevant bilateral and European Union efforts and activities.

Finally, I should like to extend to the President of Timor-Leste my Government's best wishes for the

speedy fulfilment of all the goals of the Timorese people for the stable and prosperous future they deserve.

Mr. Thomson (United Kingdom): My delegation fully subscribes to the statement to be delivered shortly by the representative of Austria.

We are delighted to join our Council colleagues in welcoming President Gusmão and Foreign Minister Ramos-Horta to the Security Council today. Their presence provides us an opportunity to pay tribute to them personally, and through them to the people of Timor-Leste, for all their remarkable achievements over the past few years in building a stable, peaceful and democratic Timor-Leste.

My delegation recognizes too the very important role that has been played over the past few years by the United Nations — most recently by the United Nations Office in Timor-Leste (UNOTIL) under the leadership of Sukehiro Hasegawa. We offer our thanks to him and his team for their efforts. We also thank him for his briefing to us today.

In the final few months of UNOTIL's mandate, we hope to see a concerted effort to fulfil UNOTIL's remit — for example, in the training of, and assistance to, the Border Patrol Unit.

We welcome the advances that have been achieved during the current reporting period. We are encouraged that progress has been made in establishing effective democratic governance, in adopting key legislation and in security matters — for example, in the negotiations on the unresolved border with Indonesia.

We are also pleased to see the completion of the work of the Commission for Reception, Truth and Reconciliation through the submission of its report to the President and now to the Secretary-General. The Commission has done important and innovative work in revealing the truth of past human rights abuses and in fostering reconciliation. In that context, we look forward to receiving the Secretary-General's report on justice and reconciliation for Timor-Leste.

But of course, further progress remains essential in key areas, in particular the establishment of sustainable, robust democracy and the rule of law. The presidential elections in 2007 will be a major challenge and a key process for embedding democratic processes and ensuring the country's future stability. Clearly, the continuing support of the international community will be crucial. We need to consider carefully the most appropriate means of providing that support in the various sectors where it is still required. The Timorese people and Government also, of course, must take responsibility as far as is possible.

That said, it appears that there could be a case for a small United Nations political mission with a clearly defined role to follow on from UNOTIL to help the Timorese address the gaps and coordinate international assistance. It would be helpful if the Secretariat could do some early thinking and produce proposals for us before the end of UNOTIL's mandate on what might be most appropriate. We are meanwhile carefully studying the proposals in Prime Minister Alkatiri's letter of 17 January to the Secretary-General.

Mr. De Rivero (Peru) (*spoke in Spanish*): My country welcomes the President of Timor-Leste, Mr. Xanana Gusmão, and Foreign Minister José Ramos-Horta, and thanks President Gusmão for his comprehensive and, above all, candid briefing on the situation in his country.

We also thank Mr. Sukehiro Hasegawa, the Special Representative of the Secretary-General for Timor-Leste, for his important work at the head of the United Nations Office in Timor-Leste (UNOTIL).

In 2005, Timor-Leste continued to progress towards effective democratic governance in spite of difficulties in the judicial and financial spheres. Local elections took place with broad civic participation and the rule of law was strengthened through Parliament's adoption of the penal code, the civil procedure code and other important legislation. Furthermore, preparations are now under way for parliamentary and presidential elections scheduled for 2007.

In the area of international relations, Timor-Leste ratified important human rights agreements and made significant progress in the demarcation of its land border with Indonesia. The bilateral Commission for Truth and Friendship established with Indonesia has now begun its work. Timor-Leste also signed an agreement with Australia on the sharing of natural resources from the Timor Sea, which will provide resources to improve its fragile socio-economic situation.

Despite such domestic and external political progress, there are still few prospects for the economic

and financial viability of Timor-Leste, which continues to have one of the lowest per capita incomes — some $400 a year — in the world. That is why the most important undertaking for the future is to make Timor-Leste's economy viable. Every effort must be made to find more development partners for Timor-Leste and to ensure that the conference of partners in April secures greater resources.

We note with appreciation the transmission by President Gusmão to the Secretary-General on 20 January of the report of the Commission for Reception, Truth and Reconciliation on the violence and human rights violations perpetrated in Timor-Leste between 1974 and 1999. We hope that the Secretary-General will issue an opinion, bearing especially in mind the statement made by an eminent university professor, human rights champion and scholar of truth commissions to the effect that the purpose of such commissions is not to uncover the entire truth — which is virtually impossible, given human nature — but to bring to light that which was kept hidden from our knowledge in order to ensure justice and reconciliation. I hope that the Secretary-General will approach this matter in that spirit.

Moreover, we also note with appreciation the activities undertaken since August 2005 of the bilateral Commission for Truth and Friendship established by Timor-Leste and Indonesia.

Peru agrees that UNOTIL's mandate should be extended beyond May. We urge Timor-Leste's development partners to do their utmost to ensure that the new Government to be elected democratically in 2007 will inherit an economically viable country that can sustain Timor-Leste's progress towards becoming an increasingly democratic society.

Mr. Oshima (Japan): Let me first express our thanks to you, Sir, for convening this public meeting on Timor-Leste at an important juncture, as the end of the mandate of the United Nations Office in Timor-Leste (UNOTIL) draws near in a few months time. We thank Special Representative Hasegawa for his comprehensive briefing on the latest developments in the country. My delegation highly appreciates the presence in the Chamber of President Xanana Gusmão and Foreign Minister José Ramos-Horta, and particularly thanks President Gusmão for his significant statement.

Japan notes with satisfaction the tangible achievements and encouraging progress that continue to be made in Timor-Leste in its peace-building and nation-building efforts, especially in the implementation of the three programmes mandated by the Security Council: the development of critical State institutions, the development of police, and training in the field of democratic governance and human rights. We also welcome the progress being made in the preparations for the transfer of the functions of UNOTIL to the Government of Timor-Leste and various development partners as the country moves towards the phase of sustainable development.

We commend Special Representative Hasegawa and his team for their hard work and pay tribute to those advisers and experts working on the ground and the many organizations and groups involved for all the valuable contributions they have made, working in close partnership with the Timor-Leste Government, its institutions and its people. We have high expectations that they will push on with their efforts as the mission's mandate approaches its end in May, so that those gains will be consolidated and made sustainable to the maximum extent possible.

I would like, in passing, to note just one thing in that connection. The Secretary-General's report mentions, in reference to programme II of UNOTIL's support for the development of the Timor-Leste police, the fact that 10 Timorese national police officers have recently been deployed to the United Nations Interim Administration Mission in Kosovo. I consider this a remarkable thing, which shows the degree of success of this programme. At the same time, the fact that, in our world, a nation assisted in times of need can in turn participate in assisting others in their time of need demonstrates the true international cooperative spirit. This is just a small episode, but I think that its significance is, nevertheless, remarkable.

We are also encouraged to see steady, remarkable improvements in Timor-Leste's relations with neighbouring countries. Occasional incidents along the border with Indonesia are resolved through dialogue, backed up by the improved bilateral relationship between the two countries. We hope that the remaining work involved in the delineation of the land border with Indonesia will be completed soon.

We also welcome the recent agreement reached between Timor-Leste and Australia over the sharing of

the revenues from oil and gas development in the Timor Sea. With the Petroleum Fund established to ensure the prudent and wise use of income from natural resources, we hope that this will provide an important boost to the development of the Timorese economy and society.

Japan underscores the necessity of ensuring that the United Nations and the international community continue to provide the appropriate and timely support which is still needed in Timor-Leste and of adapting that support to the country's changing needs and requirements. Timor-Leste has moved from conflict to peacekeeping to peacebuilding, and, as the country has gone through those phases, the United Nations presence and assistance to Timor-Leste has evolved from the United Nations Mission in East Timor (UNAMET) to the United Nations Transitional Administration in East Timor (UNTAET) to the United Nations Mission of Support in East Timor (UNMISET), and finally to UNOTIL, to meet the changing needs of the country, and it has done so, on the whole, quite successfully. We owe it to ourselves, as well as to the Government and the people of Timor-Leste, to see to it that the record of this success story remains a cause for pride in the annals of United Nations history.

With that in mind, and with regard to the question of the future engagement of the United Nations after the mandate of UNOTIL expires, my Government has taken note of the request of the Timor-Leste Government to retain a United Nations political presence for a certain period of time, particularly the request for international assistance in connection with the upcoming general elections in 2007 and the retention of some civilian advisers. In making that decision, we should study carefully the recommendations of the United Nations electoral assistance needs assessment mission.

My delegation will certainly study carefully the request made by the Timor-Leste Government in considering the modalities of United Nations assistance in the post-UNOTIL period, with an objective assessment of the situation on the ground, including in the area of security, while also taking into account the views of UNOTIL, other actors on the ground and the key countries concerned.

Finally, the issue of the serious crimes that took place in Timor-Leste must also be addressed. My Government is of the view that the spirit that prompted the joint establishment of the Commission of Truth and Friendship by Timor-Leste and Indonesia should be respected, and we hope that the Commission will produce results that meet its own aims as well as the expectations of the international community.

The Security Council requested the Secretary-General last September to provide his views on justice and reconciliation for Timor-Leste, adopting a practical, realistic approach to this issue and taking into account the views of the two countries. We believe that this issue can be resolved through the productive engagement of all parties concerned. The statement we heard from the President this morning on this very issue should be an important guide in the handling of this matter.

Before concluding, my delegation wishes to pay high tribute to the leadership of the Timor-Leste Government, to President Gusmão and Foreign Minister Ramos-Horta, which has enabled the country to make the sort of progress towards peace, security and development that we have seen so far.

As a friend of Timor-Leste in the region, Japan has actively participated in international efforts to help Timor-Leste maintain peace and consolidate the gains of peace, through UNMISET and UNOTIL as well as through other multilateral and bilateral frameworks. The introduction of the "koban", or police mini-station, system to the police system of Timor-Leste, and the transfer of skills related to the disposal of undetonated bombs are recent examples of our assistance efforts. Japan will spare no effort in continuing its support for Timor-Leste's future endeavours aimed at nation-building and sustainable development.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese delegation bids a warm welcome to President Xanana Gusmão, and we welcome his important statement. We would also like to thank Mr. Hasegawa, the Special Representative of the Secretary-General, for his presence at this meeting and for his briefing.

China is very pleased to note that, thanks to the outstanding leadership of the President of Timor-Leste, the situation in the country has remained calm, that the Government has, step by step, strengthened its capacity to run the country, that the rule of law has also been gradually strengthened, and that Timor-Leste's

relations with neighbouring States have also been enhanced.

Here we would like warmly to congratulate the Timorese Government and people on the achievements they have made in their nation-building undertakings. I should like to express our appreciation to the United Nations Office in Timor-Leste (UNOTIL) for its work in that respect. At the same time, we should realize also that Timor-Leste, as one of the poorest countries in the world, has little infrastructure to start with and that the road towards nation-building has not been easy. The question of how to continue with the success story of Timor-Leste is not only the unshirkable responsibility of the international community but also merits serious consideration by the Council.

In that respect, I believe that, first, UNOTIL should, within its remaining mandate, focus more closely on the transfer of skills and knowledge, with a view to enhancing capacity-building in the country, and that it should also continue to cooperate with international and bilateral partners in the process of making adequate and careful arrangements aimed at ensuring the continued functioning of State institutions following UNOTIL's withdrawal.

Secondly, the Secretary-General points out in his report that the presidential and parliamentary elections in 2007 will represent a major challenge to the country. In that respect, the Timorese Government has asked the United Nations to consider the establishment of a special political office to help ensure the successful holding of the elections.

China expresses its understanding of and agreement with such a request, and we call on the Council seriously to consider that request and reach agreement on the relevant arrangements in a timely manner so as to ensure the lasting stability and development of the country.

Thirdly, properly addressing the outstanding problems with the country's neighbours will not only create a positive environment for its long-term development but also contribute significantly to regional peace and stability.

In that respect, the Timorese leadership under President Gusmão has demonstrated exceptional political wisdom and courage by taking strategic decisions with foresight. We would stress our admiration and appreciation, and we appeal for the support and respect of the international community.

In conclusion, I urge donors, the United Nations system and international financial institutions to continue to devote attention to Timor-Leste and to provide it with generous help, so that it can embark on the path of sustainable development. China will, as always, support the country in its efforts related to independence and nation-building. We will develop trade and economic cooperation with it and continue our help to the extent of our ability.

Mr. Okio (Congo) (*spoke in French*): I would like to begin by welcoming His Excellency Mr. Xanana Gusmão, hero of the independence of Timor-Leste, President of the Democratic Republic of Timor-Leste. I remind him that my country, through its permanent representation in New York, took part in the celebrations of the first hours of dearly bought independence, sharing the joy of the Timorese nation. We still cherish the memory of that jubilant crowd. Thus, we have listened with great attention to President Gusmão's briefing to the Council, and we appreciate all that has been achieved in slightly less than four years.

My delegation also listened with interest to the briefing by the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, concerning the progress report of the Secretary-General on the United Nations Office in Timor-Leste for the period 16 August 2005 to 13 January 2006 (S/2006/24). The report struck my delegation in the following respects.

My delegation notes with satisfaction that despite some residual insecurity, the overall situation in Timor-Leste has improved, thanks to the progress made in establishing effective democracy in the country. That progress is marked by the successful holding of local elections, together with the strengthening of the juridical framework through the adoption of key provisions and greater respect for human rights on the part of the police.

My delegation believes that what is occurring in Timor-Leste is a hopeful and encouraging sign. That was attested to by the presentation to President Xanana Gusmão on 31 October 2005 — after only five years of work — of the final report of the Commission for Reception, Truth and Reconciliation, which was responsible for considering violations of human rights in Timor-Leste between 1974 and 1999. That report, a

copy of which was transmitted to the Secretary-General last Friday, will, we hope, make it possible to establish the truth of that grim chapter of the history of Timor-Leste in order to assist with national reconciliation while ensuring that the perpetrators of atrocities are punished and that reparation is granted to the victims.

Moreover, the preparation of legislation concerning veterans — which would, among other things, determine who could claim the status of former combatant and what rights and benefits would be given to veterans — together with its current consideration by a special national parliamentary commission, also reflects the resolve to settle the accounts of the past. My delegation therefore is anxious to see the final adoption of that legislation.

My delegation also notes with satisfaction the improvement in the good neighbourly relations between Timor-Leste and its neighbours Indonesia and Australia. The settlement of the border dispute with Indonesia is most welcome. However, my delegation would urge the two parties to complete negotiations on the demarcation on the one per cent of the border that is unresolved so that a final agreement can be reached.

We note the commencement in August 2005 of the Commission for Truth and Friendship set up by those two countries, and we expect that Commission to resolve the outstanding disputes of the past in order to strengthen the ties of friendship and cooperation. To that end, a basis for trust must be established between the two countries. For that reason, we stress that the incident of 6 January 2006 — on a border that can rightly be considered sensitive — which caused the deaths of three persons, should be investigated promptly. We understand the difficulties on the ground involving control in a young nation, but we encourage the Timorese Government to see that the investigation is rapidly concluded.

My delegation also welcomes the signing on 12 January 2006 of an agreement between Timor-Leste and Australia on the sharing of revenues derived from the exploitation of natural resources in the Timor Sea.

All of the progress has been made possible through the resolve of the local authorities, thanks to the determined support of the United Nations and the effective work of the United Nations Office in Timor-Leste (UNOTIL) in carrying out the three programmes mandated by the Security Council. Those programmes involve support for the establishment of essential State institutions, for the development of the police force and strengthening the Border Patrol Unit, and for respect for the rules of democratic governance and human rights.

My delegation believes that much has been achieved in the country, thanks to the support of the international community. But we must not flag in those efforts because, like a child taking its first steps, Timor-Leste still needs the support of the international community. It is thus the responsibility of the United Nations and other bilateral and multilateral partners to continue to support Timor-Leste in all areas so that it may commit itself with determination to the path towards progress.

Timor-Leste still faces some challenges, including the holding in 2007 of presidential and parliamentary elections, for the first time in the country since independence. My delegation thus calls for the United Nations and various bilateral and multilateral partners with proven experience in the preparation and conduct of elections to provide support to help the country build on its achievements, some of which still remain somewhat fragile.

Another challenge is strengthening capacity in all areas aimed at sustainable development, which will enable the country to lay a firm basis for political, economic and social stability, not forgetting the establishment of a genuine democracy concerned with human rights.

We believe that great progress has been made in Timor-Leste, but there is still a need to build on those achievements. The problem that arises today, in light of what we have heard, is not whether the international community is doing enough, but how to continue to act to greater effect.

Congo therefore hopes that the Council will consider the best way to respond to the expectations of the Timorese people and that it will continue to be attentive to their requests, including for a continued United Nations presence after the expiry of UNOTIL's mandate at the end of May 2006 through the presence of a special political office, as has been noted here today.

Mr. Brencick (United States of America): The delegation of the United States welcomes the participation of His Excellency President Gusmão and

Foreign Minister Ramos-Horta in today's important meeting. We thank the President for his presentation as well as his efforts to consolidate democracy, peace and justice in his country. We also thank Special Representative Hasegawa for his report and for his personal efforts to consolidate peace and stability in East Timor. He and his colleagues in the United Nations Office in Timor-Leste (UNOTIL) are doing excellent work in East Timor.

As other members have noted, the report of the Secretary-General (S/2006/24), along with the recommendations of the recent United Nations electoral assistance needs assessment mission for East Timor, underline the significant strides that have been made by the Government and the people. We congratulate them on their achievements.

The various United Nations missions to East Timor have been good models for peacekeeping and for post-conflict peacebuilding efforts. They have come in when they were needed, performed what they were set up to do and ended when the need for them had passed. UNOTIL is scheduled to complete the job it was created to do, and we believe it should end when its mandate expires in May 2006.

We recognize, however, that formidable challenges for East Timor remain. Ending UNOTIL does not mean, and should not mean, ending assistance to Timor, since the United Nations Development Programme, the World Bank and a variety of bilateral donors can and should continue to provide advice and assistance to the Government of East Timor. We will be working to ensure that such international assistance is continued, to help East Timor in its process of nation-building and reconciliation.

The United Nations recommendations for assistance to East Timor's first post-independence elections, expected to be held next year, illustrate how the United Nations can continue to be helpful while fully respecting East Timor's sovereignty. We fully support the provision of such assistance by the United Nations Electoral Assistance Division to help the Government of East Timor set the stage for free and fair elections and to further advance a young nation's democratic development.

We strongly support a credible process to determine accountability for the crimes against humanity committed in East Timor in 1999. We share the hope expressed by other members that the Secretariat will soon brief Council members on the comprehensive report prepared last June by the United Nations Commission of Experts.

Finally, we are encouraged by the seriousness and diligence with which members of the bilateral Commission for Truth and Friendship have begun their work. We look forward to further progress and are hopeful that the Commission will pursue its work in a way that generates full confidence in its conclusions and is transparent, holding public hearings, naming the names of perpetrators, protecting witness confidentiality and involving the international community.

The President: I shall now make a statement in my capacity as the representative of the United Republic of Tanzania.

I would like to thank the President of the Democratic Republic of Timor-Leste, His Excellency Kay Rala Xanana Gusmão, for having addressed the Security Council. I acknowledge the presence in the Council Chamber of the Foreign Minister of Timor-Leste, Mr. Ramos-Horta. I would also like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, and commend him for his presentation of the progress report on the United Nations Office in Timor-Leste (UNOTIL).

We are encouraged by the many positive developments that have been recorded by UNOTIL, including the completion of the final rounds of local elections in a peaceful and orderly manner, with a huge voter turnout; the strengthening of the country's legal system and the submission of the report on human rights abuses, marking an important milestone in the search for truth and reconciliation in Timor-Leste; the progress that has been made on border demarcation between Timor-Leste and Indonesia; the prevailing environment of good-neighbourly relations, as manifested by the recent signing of an agreement between Timor-Leste and Australia on sharing national resources and revenue from the Timor Sea; and the timely move to start preparations for parliamentary and presidential elections in 2007.

We note, however, that, despite the remarkable progress so far achieved, many institutions in Timor-Leste are still young and fragile, calling for United Nations agencies and other development agencies to provide support for consolidating the pillars of

statehood: democratic governance, security and sustainable development.

As the UNOTIL mandate expires, we believe that Timor-Leste would benefit from a small United Nations presence in the form of a special political office to help it to complete the unfinished work, including by providing electoral assistance covering technical and logistical support for the upcoming elections for the national parliament and the presidency, and by making available civil advisers in critical areas that require assistance, including the justice and finance sectors, police training and capacity-building in the security sector. We fully support those modest requests.

We are mindful of the issues of human rights that need to be addressed, and we commend the Government for the way in which it has handled them so far. It is our expectation that human rights issues in Timor-Leste will be dealt with so that justice can be rendered among the Timorese population and so that reconciliation can be achieved, in cooperation with Indonesia, in a manner that will meet the expectations of the international community.

Finally, I wish to express my appreciation to the Special Representative of the Secretary-General, Sukehiro Hasegawa, and all UNOTIL staff, for their dedication and outstanding performance, which is an excellent example of cooperation between the United Nations and a Government. East Timor is, indeed, one of the success stories of United Nations missions.

I resume my functions as President of the Security Council.

I give the floor to the representative of Austria.

Mr. Planzelter (Austria): I feel privileged to speak on behalf of the European Union (EU) in the presence of the distinguished President of Timor-Leste. The acceding countries Bulgaria and Romania, the candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina and Serbia and Montenegro, and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova, align themselves with this statement.

It is now eight months since the United Nations Office in Timor-Leste (UNOTIL) took over the job of assisting the Government in the capacity-development of critical State institutions with the aim of further strengthening democratic governance and building peace in Timor-Leste. As the EU stressed in its statement in the open debate on this subject in May 2005 (see S/PV.5180), we very much appreciate the invaluable work of the United Nations in peacebuilding in Timor-Leste, through its various missions since 1999. We welcome the fact that there was a high degree of continuity between the United Nations Mission of Support in East Timor and UNOTIL, which facilitated the seamless takeover by UNOTIL of the Mission's functions. We commend the commitment and contributions of UNOTIL personnel under the continued leadership of the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa.

Since voting overwhelmingly in favour of independence in 1999, Timor-Leste has come a long way and has achieved remarkable progress in reconstruction and State-building. It is in the context of consolidating those gains that the question of the future presence, after the end of the mandate of UNOTIL on 20 May 2006, arises. We understand that, with the recent appointment of a new United Nations Development Programme Resident Coordinator, the transition to the regular United Nations and multilateral development framework is well on track. However, we agree with President Gusmão that, given the remaining challenges in other fields, a small, time-limited political United Nations presence beyond 20 May 2006 might be useful.

The main task ahead in the months and years to come will be to secure the long-term success of the State-building process in Timor-Leste. In this regard, the preparations for and conduct of the presidential and parliamentary elections scheduled for May 2007 are crucial. Those elections will be a test for the maturity of the young democracy in Timor-Leste. Fair, correct and open conduct of the election process and the way in which the election results are handled will be essential to the success of the electoral process. The EU therefore believes that the process leading to the elections — including the elaboration of new election legislation — must be managed in an inclusive and transparent manner, involving all political forces and civil society.

Of equal importance for the long-term stability of Timor-Leste is sustainable economic progress. In that regard, the European Union welcomes the recent signing, on 12 January, of the agreement between Australia and Timor-Leste dividing equally between the two countries the revenues derived from the oil and gas fields in the Timor Sea. We regard that as a very positive development that will guarantee a steady source of clearly needed income for the Government of Timor-Leste. At the same time, as past examples have shown, oil revenues can be a mixed blessing if not managed properly. It is in that context that we stress the importance of establishing clear and transparent mechanisms — including oversight mechanisms — for the management of those resources to benefit reconstruction and development in Timor-Leste.

As the European Union has stressed repeatedly, we are convinced that justice must be done for the serious human rights violations in Timor-Leste in 1999. In that regard, the EU welcomes the report of the Secretary-General's Commission of Experts (S/2005/458, annex II), which was published in July 2005. We note the Security Council's September 2005 request to the Secretary-General to submit a report on a practical and feasible approach to justice and reconciliation for Timor-Leste. We are looking forward to tangible progress in that area.

Regarding the Commission for Truth and Friendship established by the Governments of Indonesia and Timor-Leste in November 2004, we remain concerned about the amnesty provisions contained in its statute and urge the two Governments to revisit that issue. Tackling impunity by holding to account those responsible for serious human rights violations is crucial for Timor-Leste's long-term development as part of a process that also seeks peace and reconciliation, as well as the strengthening of the rule of law.

Since 1999, the European Union and its member States have consistently expressed their support for Timor-Leste's peaceful development and economic viability. From the outset, the EU and its member States have lived up to their promises, contributing more than €700 million in support of Timor-Leste's development. That accounts for half of all the external assistance the country has received. With Timor-Leste's full membership in the framework of the EU's Africa, Caribbean and Pacific cooperation agreement, Timor-Leste will also be eligible to benefit from support under the European Development Fund. That will ensure continued, reliable and predictable financial support from the European Union for Timor-Leste.

I would like to conclude by assuring the Government and the people of Timor-Leste of the European Union's continued commitment to support them in their objective of securing the long-term, sustainable stability and development of their young country. To that end, we will continue to work closely with all bilateral and multilateral donors. The European Union has confidence in the responsible leadership of the Government of Timor-Leste and the determination of its people that the country will continue to be regarded as one of the true success stories of United Nations peacebuilding and as an example for the Peacebuilding Commission.

The President: I now give the floor to the representative of Australia.

Ms. Lisson (Australia): Thank you, Mr. President, for this opportunity to address the Security Council.

I wish to begin by expressing our thanks to the Secretary-General for his progress report on the United Nations Office in Timor-Leste (UNOTIL) (S/2006/24) and to the Special Representative for Timor-Leste, Sukehiro Hasegawa, for his work leading the United Nations mission. I would also like to acknowledge the very welcome presence here today of President Gusmão.

Australia welcomes the contribution of the United Nations mission in Timor-Leste to establishing effective democratic governance, as outlined in the report, and congratulates Timor-Leste on the remarkable progress made since 1999. As members know, Australia has been at the forefront of international efforts to support Timor-Leste's transition to an independent and secure State. We have contributed to all United Nations missions in Timor-Leste — INTERFET, the International Force for East Timor; UNTAET, the United Nations Transitional Administration in East Timor; and UNMISET, the United Nations Mission of Support in East Timor — and are currently contributing three military liaison officers and four civilian police advisers to UNOTIL. Australia has also provided more than US$ 330 million in official development assistance to Timor-Leste since 1999.

Over the past six years, the United Nations has played a critical role in the transition to a democratic and peaceful Timor-Leste. The United Nations and the broader international community should be congratulated for their contribution to Timor-Leste's successes.

However, the important work of the United Nations should not overshadow the indispensable efforts of the people and the Government of Timor-Leste to create a new nation, and the positive spirit in which both Indonesia and Timor-Leste have set about developing productive bilateral relations. In particular, we commend the efforts of the Governments of Timor-Leste and Indonesia for their cooperative approach to border management issues, notably the progress made in demarcating almost all of their mutual border and the commitment by both countries to resolving the border incidents noted in the Secretary-General's report. We encourage Timor-Leste and Indonesia to continue to work together to improve their border management arrangements.

Clearly, the situation in Timor-Leste, through the country's own efforts and those of its neighbours and the international community, is in transition from the challenge of post-crisis management to one in which the priority is longer-term development. The twentieth of May this year marks the end of the mission established by the Security Council in resolution 1599 (2005), and UNOTIL must continue to focus on preparing for the end of its mandate. More than ever, the United Nations needs to consider what UNOTIL will leave behind in terms of solid and sustainable indigenous capacity in civil administration, policing, law and justice and defence.

There is clearly more to be done to assist Timor-Leste after the end of UNOTIL's mandate. Timor-Leste will require ongoing support, particularly in capacity-building and poverty alleviation. The international community has made a considerable investment in Timor-Leste's success, and continuing challenges must be addressed by its development partners if the country is to remain a successful example of the international community's involvement in peacekeeping and peacebuilding.

Australia has been and will remain one of the largest bilateral donors to Timor-Leste. Our bilateral aid programme is estimated at more than $30 million for 2005-2006 and includes substantial capacity-building in the areas of economic governance, police and justice — for example, through a four-and-a-half-year, $23 million police development programme in partnership with the British Government. Australia also maintains a significant $6 million-per-annum defence cooperation programme with Timor-Leste.

The move from the short-term adviser placements currently supporting Timor-Leste's Government to long-term institutional strengthening supported by conventional bilateral and multilateral agencies will be a challenge. Australia is planning to provide ongoing support to the World Bank and to the specialized United Nations development agencies in priority areas, including law and justice and political and economic governance, together with a $50 million commitment over 10 years to help build public sector capacity in Timor-Leste. We encourage other international supporters of Timor-Leste to maintain their bilateral assistance after UNOTIL's mandate ends to help meet those needs and to ensure a smooth transition to a sustainable development framework.

The Secretary-General's report highlights the 2007 elections in Timor-Leste. United Nations support, including appropriate technical assistance, for those elections will be important, as will support from the international community to Timor-Leste through electoral capacity building, voter education and monitoring assistance.

Finally, I should also note here a milestone event in Australia's bilateral relations with Timor-Leste that occurred on 12 January, when our two countries signed a treaty on maritime arrangements in the Timor Sea. The treaty will raise Timor-Leste's share of upstream revenues from the Greater Sunrise gas field from 18 per cent to 50 per cent and could lead to Timor-Leste receiving additional revenue of up to $4 billion over the life of the project.

Much has been achieved in Timor-Leste in a short time, which is a credit to the people of Timor-Leste, to the United Nations and to the international community. We must all remain committed to supporting Timor-Leste in its transition to secure and self-reliant statehood. Australia, for its part, can be relied upon to contribute to these efforts.

The President: I now give the floor to the representative of Portugal.

Mr. Salgueiro (Portugal): Mr. President, I would like first to thank President Xanana Gusmão and Foreign Minister Ramos-Horta. I also wish to express my appreciation for President Gusmão's most valuable contribution to this debate.

I would like to thank the Secretary-General for his latest report on the situation of Timor-Leste and to thank Special Representative Hasegawa for his excellent presentation. I take this opportunity to praise the dedicated efforts of the civilian, military and police components of the United Nations Office in Timor-Leste (UNOTIL) and to congratulate them on their many achievements in Timor-Leste.

Portugal subscribes to the statement made by the representative of Austria on behalf of the European Union. Therefore, I will only add a few comments of our own.

First, we agree with the evaluation by the United Nations of the situation of Timor-Leste and that the successful conclusion of local elections, the strengthening of the legal framework through the adoption of key legislation and the improved observance of human rights by the police are good examples of progress. We share the view that the overall situation in Timor-Leste remains stable, except for a few incidents involving the incursion of former militias into Timor-Leste and a serious border incident a few weeks ago that resulted in the death of three infiltrators. In that context, I would like to emphasize that even relatively low-level incidents could have — we hope not — a significant impact on and consequences for the stability of Timor-Leste.

My second point is a direct consequence of this perception. Timor-Leste is in a critical period of its peacebuilding process, and the report of the Secretary-General clearly outlines a number of areas that are in need of international assistance beyond the mandate of UNOTIL, namely justice, finance, police training and border management. Another challenge facing Timor-Leste will be the preparations for and conduct of the presidential and parliamentary elections scheduled for 2007 — the first since the country assumed independence in 2002.

While the future of the country rests first and foremost with the Timorese people and their Government, under the present circumstances Portugal supports the Secretary-General's proposal that the international community should remain engaged in Timor-Leste beyond 20 May 2006, when UNOTIL's mandate expires. Portugal believes that we must determine what kind of international presence will be appropriate to assist Timor-Leste on its way to long-term stability and development and in the tasks in which the Timorese Government finds it more urgently needs United Nations support.

We welcome the steady and positive development in the relationship of Timor-Leste and its neighbour, Indonesia. An example is the effort to finalize the demarcation of the remaining 1 per cent of the border, which is the result of the consistent commitment by the leadership of both countries.

Portugal also welcomes the recent signing of the agreement between Australia and Timor-Leste, which will provide much-needed resources to sustain the economic progress of this new country. We congratulate the Government of Timor-Leste for its initiative in creating a mechanism to ensure transparency in the management of those resources.

We must acknowledge the importance of continuing bilateral assistance and underline the responsibility of the international community in relation to Timor-Leste. I would just like to point out that last week Portugal signed an assistance plan with the Timorese Government wherein it committed $32.6 million in development assistance to Timor-Leste for 2006.

My final remarks relate to the responsibility of the international community and of the Security Council in relation to Timor-Leste. In that regard, we reiterate our support for the report of the Secretary-General's Commission of Experts, and we note the request of the Security Council that the Secretary-General submit a report on justice and reconciliation for Timor-Leste with a practically feasible approach, so that the expectations of the people are met.

The President: I now give the floor to the representative of Brazil.

Mr. Sardenberg (Brazil): At the outset I would like to pay tribute to the President of the sister country Timor-Leste, Xanana Gusmão, and praise his heartfelt commitment to the full empowerment and development of the Timorese people. Likewise, I welcome Foreign Minister Ramos-Horta to the Security Council.

This is the first time I take the floor since the completion of Brazil's term as a non-permanent

member of the Security Council last December. It pleases me to do so, Mr. President, when the Council is addressing the important issue of Timor-Leste under your highly skilful presidency.

I wish to express our thanks to Ambassador Jones-Parry and to the members of the delegation of the United Kingdom for their competent work in the presidency last month. Finally, I thank Special Representative Hasegawa for the presentation of the Secretary-General's report and for the tireless and effective work he has carried out in Timor-Leste as head of the United Nations Office in Timor-Leste (UNOTIL).

Brazil is one of the partners of Timor-Leste. In close collaboration with the United Nations Development Programme, my country is supporting the justice sector, and we are also engaged in efforts to increase bilateral cooperation in the areas of education, health and professional training. Now we are also exploring possibilities of further cooperation with the National Parliament of Timor-Leste.

As stated by Mr. Hasegawa, other bilateral and international partners are likewise coming forward with their contribution, mainly with a view to assisting in the consolidation of Timorese institutions. Among the members of the Community of Portuguese-Speaking Countries, in addition to Brazil, I recall the support given by Cape Verde and Portugal.

However, despite the outstanding efforts made by the Timorese people and their Government and the fact that progress has been achieved in establishing democratic governance in the country, international cooperation remains essential to sustain core administrative structures, which are critical to the viability and political stability of Timor-Leste.

The main challenge goes beyond maintaining current levels of performance. That performance has already helped to ensure the successful conclusion of local elections, the strengthening of the legal framework through the adoption of key legislation and the improvement in the observance of human rights by the police. The challenge consists of proceeding with the work of building national and local institutions, which are not now self-sufficient and which will have an uncertain future if partnerships to train their personnel and enhance their means and capacities are not made available. Timor-Leste relies on international assistance to consolidate its newly independent State, whose first Government was sworn in only 3 years ago.

The Security Council will soon face an important decision regarding the overall future of Timor-Leste. My delegation understands that the smooth transition to a sustainable development framework, as stressed in resolution 1559 (2005), is still to be fully implemented, with the assistance of bilateral and multilateral donors, regional mechanisms, non-governmental organizations, the private sector and other interested actors. Brazil expects that the Council will duly take that into consideration during its deliberations on the issue of the needs of the Government of Timor-Leste, in order to consolidate the success story of United Nations involvement in that country since 1999.

It is our view that the international community will have to remain engaged in Timor-Leste beyond May 2006, when UNOTIL's mandate expires, and for as long as necessary to secure a stable and self-sufficient institutional governmental structure for that country. In that regard, my delegation firmly supports the statement made by President Xanana Gusmão in the Council, and requests Council members to consider the possibility of adopting a strategy to phase out the presence of the special political mission in Timor-Leste while replacing its advisers and personnel with reliable assistance to be provided by other equally committed partners as needed.

In conclusion, I would also like to welcome the improvement in Timor-Leste's relations with neighbouring countries, particularly with Indonesia and Australia. Sensitive issues such as those pertaining to border disputes and the exploration of shared natural resources are being successfully dealt with, thereby contributing significantly to the focusing of all efforts on the agenda of peace and development for Timor-Leste.

The President: I thank the representative of Brazil for his kind words addressed to me.

I now give the floor to the representative of Indonesia.

Mr. Jenie (Indonesia): Let me begin by congratulating you, Sir, on the excellent way in which you have carried the duties of the presidency of the Security Council for the month of January. I would also like to thank the Secretary-General for his progress report (S/2006/24) on the United Nations Office in

Timor-Leste (UNOTIL) for the period 16 August 2005 to 13 January 2006. My delegation also appreciates the comprehensive briefing by Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste. We thank him for his leadership in the implementation of UNOTIL's mandate.

Before proceeding, allow me to join previous speakers in welcoming Yang Mulia Bapak, President Kay Rala Xanana Gusmão of Timor-Leste and Foreign Minister José Ramos-Horta. President Gusmão has highlighted his perspective on the issue of justice vis-à-vis the people of Timor-Leste in dealing with the past. The wisdom, leadership and statesmanship of President Xanana Gusmão in bringing his people out of the difficult past and into a healthier and more prosperous future are inspiring. His strong determination to foster reconciliation among Timorese is also admirable. Among other things, that determination was reflected in his attempt last December, which my Government was pleased to facilitate, to once again reach out to fellow Timorese residing in West Timor. My delegation also wishes to commend his lucid presentation on the current developments in his country, the challenges that the Timorese people face today, their ongoing needs and expectations as regards the international community, which we believe deserve positive consideration by the Council.

My delegation is pleased that the Government of Timor-Leste, as recognized in the report of the Secretary-General, has made further progress in establishing effective democratic governance in the country. Thanks to its wise and brave leaders, that new State has become a peaceful, stable and politically dynamic nation.

We are also gratified at the equally important fact that, as President Gusmão also stated earlier, the relationship between Timor-Leste and Indonesia has continued to grow. In that regard, allow me to stress that, as Timor-Leste remains a major priority in Indonesia's foreign policy, those excellent bilateral ties continue to be marked by a close rapport at the highest level between leaders of the two countries.

In that connection, we affirm that bilateral cooperation has further deepened and expanded. Under the mechanism of the annual meetings of the Indonesia-Timor-Leste Joint Ministerial Commission for Bilateral Cooperation, we continue to make progress in various fields, including those pertaining to border issues, legal matters, trade, investment and finance, health, transport and communications, and the social, educational and cultural fields. That progress also includes assistance to Timor-Leste in various areas of institutional capacity-building.

The maturity of our bilateral ties has allowed our two countries to deal comfortably and effectively with any common issue and problem that may arise on a bilateral basis, including matters relating to the difficult episode of our shared history as well as border issues. As pointed out earlier by President Gusmão, our two countries have reached agreement on 99 per cent of our common land border, with the remaining 1 per cent to be resolved in the very near future.

Notwithstanding that progress, it is deeply regrettable that border incidents — such as the one that, as mentioned in the Secretary-General's report, took place on 6 January, which resulted in the deaths of three people — continue to take place. As the joint commission of investigation is moving towards establishing the facts surrounding the incident, we should refrain from making prejudicial conclusions. The two countries indeed agree that those were isolated incidents that do not in any way affect our excellent bilateral relations. We also agree that those incidents underline the need to strengthen cooperation and coordination between the border authorities of both countries, in order that such incidents not occur again. In that regard, we look forward to the completion of a new border-management framework in the near future.

My delegation notes with interest that, as the report of the Secretary-General points out and pursuant to Security Council resolution 1599 (2005), UNOTIL continues to focus on the coordination of donor assistance, to encourage the implementation of projects towards sustainable and long-term development in Timor-Leste and ensure a smooth transition from UNOTIL to a development assistance framework. Some progress has been made during the period under review, including UNOTIL's efforts to hand over responsibility to the Government and to development partners. As of October 2005, UNOTIL's Civilian Support Group and the United Nations Development Programme's Institutional Capacity Building Support Programme have been fully integrated within the Government's Capacity Development Coordination Unit, under the Office of the Prime Minister. We agree that the latter will facilitate the eventual takeover by

the Government on all functions related to the management and coordination of assistance programmes. In that regard, we hope that the appointment of a new United Nations resident coordinator in Dili, who will assume his duties next month, will further facilitate the process.

Another important development is the planned Development Partners' Conference in April. It will provide an important opportunity for the international community to demonstrate its continued commitment to Timor-Leste and for commitments already made to be translated soon into concrete action.

We really look forward to a successful conclusion of UNOTIL's mandate on 20 May. However, we share the Secretary-General's assessment, as contained in his report, that, while the future of the country rests with the Timorese people and their Government, the international community should remain engaged in Timor-Leste beyond 20 May, when UNOTIL's mandate expires.

The forthcoming presidential and parliamentary elections, which will take place for the first time in Timor-Leste in 2007, constitute a major challenge facing the country in the near future. It is important that the international community continue to assist Timor-Leste to face the challenge and to meet some of its needs in critical areas, as set out by President Gusmão earlier, inter alia in the justice and finance sectors, as well as in police training.

For its part, Indonesia will fulfil its bilateral support on the basis of the forward-looking and reconciliatory principles established by the leaders of both nations. We have always applauded the role of the international community in helping the process of development in Timor-Leste, recognizing at the same time that, as the only nation that shares a land border and has specific historical ties with Timor-Leste, we have a special obligation to discharge.

The President: I should like to inform the Council that I have received a letter from the representative of Papua New Guinea, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kua Kanua, Papua New Guinea, took a seat at the Council table.

The President: I invite the representative of Papua New Guinea to take the floor.

Mr. Aisi (Papua New Guinea): May I join others in welcoming President Gusmão and Foreign Minister Ramos-Horta to the United Nations.

I also congratulate you, Sir, on your assumption of the presidency of the Council and thank the United Kingdom for its sterling efforts in December.

I take pleasure in speaking today on behalf of the Pacific Islands Forum member countries: Australia, the Federated States of Micronesia, Fiji, Kiribati, the Marshall Islands, Palau, Nauru, New Zealand, Samoa, Solomon Islands, Tuvalu, Vanuatu and my own country, Papua New Guinea, along with the observer members.

Especially pleasing is the fact that Timor-Leste is currently an observer member of the Pacific Islands Forum.

To date, many of the participants in the military and civilian police personnel have come from Pacific Islands Forum countries, namely, Australia, New Zealand, Fiji, Palau, Samoa and Vanuatu. Other countries, such as Papua New Guinea, have also made small contributions in other areas.

As alluded to by my colleagues previously, much has been achieved and much more needs to be done. We commend the work of the Special Representative, Mr. Sukehiro Hasegawa. We also encourage the good work that continues to be carried out by the United Nations agencies.

We recognize the efforts of President Gusmão's Government and the people of Timor-Leste to consolidate peace on their road to achieving development and prosperity.

In closing, we wish the Government and people of Timor-Leste well and look forward to seeing further consolidated the good progress being made. We agree with our colleagues — especially, in this case, Australia — that we must all remain committed to

supporting Timor-Leste in its transition to secure and self-reliant statehood.

The President: I shall now give the floor to Mr. Hasegawa to respond to the comments made and questions raised.

Mr. Hasegawa: In view of the brief time available, I will respond to just two issues that have been raised by the members of the Security Council and other interested countries.

The first is that of pursuing justice and reconciliation. Ambassador Ladsous of Denmark started the discussion by referring to the need to pursue that subject, and it was touched upon by the representatives of France, Greece, Japan, the United States, Austria on behalf of the European Union, Portugal and Brazil.

We have indeed taken note of the request made to the Secretary-General by the President of the Security Council in his letter of 28 September 2005 to formulate a report on justice and reconciliation, with particular emphasis on comments made by the Commission of Experts, and on the need to produce a practical and feasible approach, taking into account the views of Timor-Leste and Indonesia.

Secondly, a number of speakers touched upon the continued need for assistance in the period after the United Nations Office in Timor-Leste. The representatives of Argentina, Greece, Portugal, Brazil, China, Ghana, Peru and Russia all spoke in favour of providing continued international assistance, with emphasis on the transfer of responsibilities, as much as possible, to a sustainable assistance framework. At the same time, many speakers referred to the need for continued United Nations engagement in support of preparations for the presidential and parliamentary elections to be held in 2007. I have taken note of those statements, and in particular of the requests made by Ambassador Thomson of the United Kingdom for a clearly defined role for the United Nations special office and by Ambassador Oshima of Japan for the modalities of the United Nations assistance to be provided.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

I want to thank President Gusmão again for his presence and for his interventions.

The meeting rose at 1.10 p.m.